

Exhibit 4

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK**

Blake Lively,

Plaintiff,

v.

WAYFARER STUDIOS LLC, a Delaware Limited Liability Company, JUSTIN BALDONI, an individual, JAMEY HEATH, an individual, STEVE SAROWITZ, an individual, IT ENDS WITH US MOVIE LLC, a California Limited Liability Company, MELISSA NATHAN, an individual, THE AGENCY GROUP PR LLC, a Delaware Limited Liability Company, JENNIFER ABEL, an individual,

Defendants.

Case No. _____

COMPLAINT

JURY TRIAL DEMANDED

Plaintiff Blake Lively (“Ms. Lively”) brings this action for damages against WAYFARER STUDIOS LLC, a Delaware Limited Liability Company, JUSTIN BALDONI, an individual, JAMEY HEATH, an individual, STEVE SAROWITZ, an individual, IT ENDS WITH US MOVIE LLC, a California Limited Liability Company, MELISSA NATHAN, an individual, THE AGENCY GROUP PR LLC, a Delaware Limited Liability Company, and JENNIFER ABEL, an individual, and alleges as follows:

1. On January 4, 2024, prior to resuming filming of “It Ends With Us” (the “Film”) following guild strikes, an “all hands” meeting was convened in New York to address the hostile work environment that had nearly derailed production of the Film. Attendees of the meeting included: (1) Justin Baldoni, who is the co-chairman and co-founder of Wayfarer Studios LLC (“Wayfarer”) (the owner of the Film), as well as the Director, Executive Producer, and actor in the lead role of Ryle Kincaid; (2) Jamey Heath, the Chief Executive Officer of Wayfarer and Producer of the Film; (3) Ange Gianetti, the Film’s representative for its distributor Sony Pictures

Entertainment; (4) Alex Saks, a producer on the Film; (5) Todd Black, a producer on the film; and (6) Ms. Lively, who played the role of Lily Bloom in the Film. Ms. Lively also had the agreed-upon right to have a representative present. She chose her husband, given that the meeting was about repeated sexual harassment and other disturbing behavior by Mr. Baldoni and Mr. Heath.

2. As discussed in detail below, Ms. Lively was forced to address concerns about Mr. Baldoni and Mr. Heath's misconduct with them directly, and began doing so months before filming began. The concerns she raised were not only for herself, but for the other female cast and crew, some of whom had also spoken up. The January 4 meeting occurred only after Wayfarer had rebuffed Ms. Lively's efforts repeatedly.

3. During the January 4 meeting, the parties discussed in detail the inappropriate conduct that Ms. Lively, her employees and other cast and crew experienced at the hands of Mr. Baldoni and Mr. Heath. After the list below was reviewed and discussed in its entirety, all parties present agreed that the outlined conduct would cease:

1. No more showing nude videos or images of women, including producer's wife, to BL and/or her employees.
2. No more mention of Mr Baldoni's or Mr Heath's previous "pornography addiction" or BL's lack of pornography consumption to BL or to other crew members.
3. No more discussions to BL and/or her employees about personal experiences with sex, including as it relates to spouses or others.
4. No more mention to BL or her employees of personal times that physical consent was not given in sexual acts, as either the abuser or the abused.
5. No more descriptions of their own genitalia to BL.
6. No more jokes or disparaging comments to be made to BL and/or her employees about HR complaints Wayfarer has already received on set, or about "missing the HR meeting."
7. No more inquiries by Mr Baldoni to BL trainer without her knowledge or consent to disclose her weight.
8. No more mention by Mr Baldoni of him "speaking to" BL's dead father.
9. No more pressing by Mr Baldoni for BL to disclose her religious beliefs, or unsolicited sharing of his.
10. If BL and/or her infant is exposed to COVID again, BL must be provided with immediate notice as soon as Wayfarer or any other producers become aware of such exposure, without her needing to uncover days later herself.
11. An intimacy coordinator must be present at all times when BL is on set in scenes with Mr. Baldoni.

- 12.No more personal, physical touching of, or sexual comments by, Mr Baldoni or Mr Heath to be tolerated by BL and/or any of her employees, as well as any female cast or crew without their express consent.
- 13.No more improvising of kissing. All intimate touch must be choreographed in advance with BL and an intimacy coordinator. No biting or sucking of lip without BL consent. And all intimate on camera touch and conversations must be "in character", not spoken from Mr Baldoni to BL personally.
- 14.BL to have a representative on set at all times and with a monitor during scenes involving nudity, sexual activity, or violence with Mr Baldoni.
- 15.All actors participating with BL in intimate scenes involving her being in any state of nudity or simulated nudity must be classified as active, working actors, not "friends" of the director or producers, and must be pre-approved by BL.
- 16.No more filming of any BL nudity without a fully-executed, SAG-compliant nudity rider in place. Any such footage already shot without this rider in place and in direct violation of SAG requirements may not be used without BL's and her legal representatives prior, written consent.
- 17.Any scene by BL, or another performer depicting the character of "Lily," that involves nudity or simulated sex must be conducted strictly in accordance with the above-referenced nudity rider and must adhere to the BL-approved script.
- 18.An intimacy coordinator must be on set for all scenes involving nudity and/or simulated sex and must have a monitor to ensure compliance.
- 19.No monitors to be viewed or accessible on set, or remotely, during closed set scenes except by BL-approved essential crew and personnel.

- 20.No more entering, attempting to enter, interrupting, pressuring or asking BL to enter her trailer or the makeup trailer by Mr Heath or Mr Baldoni while she is nude, for any reason.
- 21.No more private, multi hour meetings in BL's trailer, with Mr Baldoni crying, with no outside BL appointed representative to monitor.
- 22.No more pressing by Mr Baldoni to sage any of BL's employees.
- 23.Producer Alex Saks to be given standard rights, inclusion, and authority per her job description and as represented to BL when signing on.
- 24.Sony must have an active, daily role in overseeing physical production for the remainder of the film to monitor safety for cast and crew, schedule, logistics, problem solving and creative.
- 25.Engagement of an experienced producer to supervise the safety of the cast and crew, schedule, logistics, problem solving and creative for the remainder of the shoot. (examples: Todd Lieberman, Elizabeth Cantillon, Miri Yoon, Lynette Howell).
- 26.Engagement of a BL-approved, A-list stunt double to perform Lily in scenes with Mr Baldoni involving rape and/or violence. BL to perform only close-up work or work from a BL pre-approved shot list in scenes with Mr Baldoni involving sexual violence.
- 27.No more adding of sex scenes, oral sex, or on camera climaxing by BL outside the scope of the script BL approved when signing onto the project.
- 28.No more asking or pressuring BL to cross physical picket lines.
- 29.No more retaliatory or abusive behavior to BL for raising concerns or requesting safeguards
- 30.An in-person meeting before production resumes with Mr Baldoni, Mr Heath, Ms Saks, the Sony representative, the new producer, BL, and BL's spouse Ryan Reynolds to confirm and approve a plan for implementation of the above that will be adhered to for the physical and emotional safety of BL, her employees and all the cast and crew moving forward.

4. This meeting was an essential step in a process the parties had agreed to several months before to allow the cast and crew to safely resume production of the Film. In mid-November 2023, the parties had agreed in writing to implement a list of protections enumerated in a contract entitled, "Protections for Return to Production," attached hereto as **Exhibit A**, which included seventeen provisions designed to require Wayfarer to cease the on-set behavior of Mr. Baldoni and Mr. Heath. One of those provisions required an "all-hands meeting" to "confirm and

approve a plan for the implementation of [certain protections] that will be adhered to for the physical and emotional safety of [Ms. Lively], her employees and all cast and crew moving forward.” Exhibit A ¶ 17. After receiving the document, Wayfarer responded that “Wayfarer, Sony and Production respectfully acknowledge that [Ms. Lively] has concerns regarding safety, professionalism and workplace culture. Although our perspective differs in many aspects, ensuring a safe environment for all is paramount, irrespective of differing viewpoints. Regarding your outlined requests, *we find most of them not only reasonable but also essential for the benefit of all parties involved.*”¹

5. At the end of the January 4 meeting, having discussed at length the details of concerns that had been expressed by Ms. Lively and others, the parties agreed to implement and follow the Protections for Return to Production to ensure that the Film could be completed, marketed, and released safely and successfully. And it was. Production of the Film resumed on January 5, and concluded on February 9, 2024. The Film has been a resounding success.

6. Leading up to and in connection with the release of the Film, during the summer of 2024, Ms. Lively and fellow cast members promoted the Film in accordance with the Marketing Plan created and delivered by the Film’s distributor Sony, which is summarized in the “talking points” attached hereto as **Exhibit C**. Ms. Lively and other cast members were under a contractual obligation to engage in media, press, marketing activities and render promotional services in accordance with the Marketing Plan. The Marketing Plan directed the cast to “[f]ocus more on Lily’s strength and resilience as opposed to describing the film as a story about domestic violence” and to “[a]void talking about this film that makes it feel sad or heavy [*sic*]—it’s a story of hope.” See **Exhibit C** at 2.²

7. In the days leading up to the Film’s release, Mr. Baldoni abruptly pivoted away from the Film’s Marketing Plan and the types of publicity activities in which he had

¹ Through It Ends With Us Movie, LLC, Wayfarer ultimately confirmed its obligation to abide by *all* of the Protections for Return to Production in a contractual rider, executed on January 19, 2024, which is attached hereto as **Exhibit B**.

² Mr. Baldoni himself launched the Marketing Plan by hosting the first press event in early May 2024 (a month before any other cast did any promotion of the film).

previously participated. What the public did not know was that Mr. Baldoni and his team did so in an effort to explain why many of the Film's cast and crew had unfollowed Mr. Baldoni on social media and were not appearing with him in public. To that end, he and his team used domestic violence "survivor content" to protect his public image, as described in further detail below. *See* ¶¶ 95–105.

8. What the public also did not know was that this was the beginning of a multi-tiered plan that Mr. Baldoni and his team described as "*social manipulation*" designed to "*destroy*" Ms. Lively's reputation. That plan was backed by virtually unlimited resources. Wayfarer's co-founder, co-chairman, and leading financier is multi-billionaire, Steve Sarowitz, who divulged at the Film's New York premiere on August 6, 2024, that he was prepared to *spend \$100 million to ruin the lives* of Ms. Lively and her family. With that backing, Mr. Baldoni and his Wayfarer associates embarked on a sophisticated press and digital plan *in retaliation for Ms. Lively exercising her legally-protected right to speak up about their misconduct on the set*, with the additional objective of intimidating her and anyone else from revealing in public what actually occurred.

9. On July 31, 2024, following the recommendation of their publicist, Jennifer Abel, Wayfarer and Mr. Baldoni retained a crisis communications specialist named Melissa Nathan, and her company The Agency Group PR LLC ("TAG"). Ms. Nathan delivered a proposal to Mr. Baldoni, which included "[a] website (to discuss), full reddit, full social account take downs, full social crisis team on hand for anything – engage with audiences in the right way, *start threads of theories* (discuss) this is the way to be fully 100% protected." Ms. Nathan also proposed the "creation of social fan engagement to go back and forth with any negative accounts, helping to change [*sic*] narrative and stay on track." Per Ms. Nathan, "*All of this will be most importantly untraceable.*" As Ms. Abel described it, the plan was to engage in "social media mitigation and proactive fan posting to counter the negative" as well as "*social manipulation.*"³

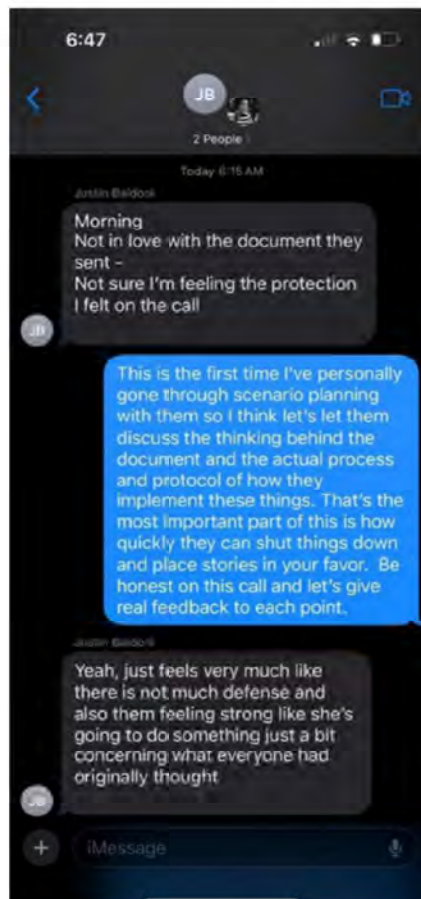
³ Ms. Lively obtained the communications set forth in this Complaint through legal process, including a civil subpoena served on Jonesworks LLC.

10. This plan went well beyond standard crisis PR. What Ms. Nathan proposed included a practice known as “*Astroturfing*,” which has been defined as “the practice of publishing opinions or comments on the internet, in the media, etc. that appear to come from ordinary members of the public but actually come from a particular company or political group.”⁴

11. On August 2, 2024, TAG circulated a “SCENARIO PLANNING” document to Mr. Baldoni, Mr. Heath, and others, which described preparations and strategy “should [Ms. Lively] and her team *make her grievances public*” (the “Scenario Planning Document”), and is attached hereto as **Exhibit D**. To “get ahead of this narrative,” Ms. Nathan’s plan proposed strategies to advance misleading counternarratives, including pushing Ms. Nathan’s narrative that Ms. Lively had “less than favorable reputation,” proposing to “explore planting stories about the weaponization of feminism...,” and misleadingly blaming Ms. Lively for production members’ job losses. *See* Exhibit D at 2–3.

⁴ *Astroturfing*. CAMBRIDGE DICTIONARY, <https://dictionary.cambridge.org/us/dictionary/english/astroturfing> (last visited Dec. 16, 2024); *see also Astroturfing*, WIKIPEDIA, <https://en.wikipedia.org/wiki/Astroturfing> (last visited Dec. 19, 2024) (“Astroturfing is the deceptive practice of hiding the sponsors of an orchestrated message or organization (e.g., political, advertising, religious, or public relations) to make it appear as though it originates from, and is supported by, unsolicited grassroots participants. It is a practice intended to give the statements or organizations credibility by withholding information about the source's financial backers.”).

12. Initially, Mr. Baldoni expressed concerns that TAG's written plan was insufficiently aggressive to "protect" him. Writing to Mr. Heath and Ms. Abel, he said he was "[n]ot in love with the document they sent – Not sure I'm feeling the protection I felt on the call" with Ms. Nathan and her colleagues. In response, Mr. Heath attempted to reassure Mr. Baldoni that they had found the right people for his campaign. In Mr. Heath's words, "the most important part of this is how quickly they can shut things down and place stories in your favor."



13. Later that day, Ms. Abel and Ms. Nathan exchanged the following text messages, expressing that Mr. Baldoni "*wants to feel like [Ms. Lively] can be buried.*" Ms. Abel and Ms. Nathan agreed that, of course, they would do just that, but could not say so in writing. "We can't write it down to him. We can't write *we will destroy her.*" "Imagine if a document saying *all the things that he wants* ends up in the wrong hands."

From: Jennifer Abel (owner)
To: Melissa Nathan

You can of course do that but I do think he needs to know. I'm going to confidentially send you something he's texting me and Jamey on the side just to arm you before this call. I think you guys need to be tough and show the strength of what you guys can do in these scenarios. He wants to feel like she can be buried...

Priority: Normal

02/08/2024 13:47:25(UTC+0)

From: Melissa Nathan
To: Jennifer Abel (owner)

Of course- but you know when we send over documents we can't send over the work we will or could do because that could get us in a lot of trouble

Priority: Normal

02/08/2024 13:47:55(UTC+0)

From: Melissa Nathan
To: Jennifer Abel (owner)

We can't write it down to him
We can't write we will destroy her. We will go to this. We will do this. We will do this. We will do this.

Priority: Normal

02/08/2024 13:48:24(UTC+0)

From: Melissa Nathan
To: Jennifer Abel (owner)

He has to look at it as an information document for us to be armed with
That's all. Imagine if a document saying all the things that he wants ends up in the wrong hands.

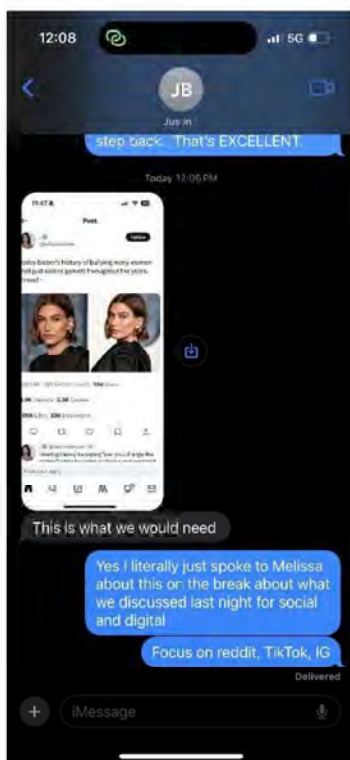
Priority: Normal

02/08/2024 13:49:03(UTC+0)

14. Ms. Nathan followed this by assuring Ms. Abel: “*you know we can bury anyone [sic] But I can’t write that to him.*”



15. A few days later, on August 5, 2024, Mr. Baldoni set the narrative for the social media campaign, sending Ms. Abel a screenshot of a thread on X that had accused another female celebrity of bullying women. Mr. Baldoni stated, “*this is what we would need.*”



16. Ms. Abel responded that she had just “spoke[n] to Melissa about this... about what we discussed last night for social and digital.” Ms. Abel added, “Focus on reddit, TikTok, IG.” With reassurance that Ms. Lively would be “destroy[ed]” and “buried,” Wayfarer

and Mr. Baldoni directed Ms. Nathan and her team to actively engage in their retaliatory “social manipulation” campaign.

17. In the weeks and months that followed—with the direction and approval of Wayfarer and Mr. Baldoni—the team engaged in a sophisticated, coordinated, and well-financed retaliation plan.

18. The retaliation campaign relied on more than just publicists and crisis managers spinning stories. They also retained subcontractors, including a Texas-based contractor named Jed Wallace, who weaponized a digital army around the country from New York to Los Angeles to create, seed, and promote content that appeared to be authentic on social media platforms and internet chat forums. The Baldoni-Wayfarer team would then feed pieces of this manufactured content to unwitting reporters, making content go viral in order to influence public opinion and thereby cause an organic pile-on. To safeguard against the risk of Ms. Lively ever revealing the truth about Mr. Baldoni, the Baldoni-Wayfarer team created, planted, amplified, and boosted content designed to eviscerate Ms. Lively’s credibility. They engaged in the same techniques to bolster Mr. Baldoni’s credibility and suppress any negative content about him.

19. On August 10, the day after release of the Film, Ms. Nathan’s team reported that they had “started to see a shift on social, due largely to Jed and his team’s efforts *to shift the narrative*” against Ms. Lively.

From:
To: Jennifer Abel (owner)

Hi team — so far, extremely limited pickup on Daily Mail or Page Six. We'll continue to keep an eye out and send pieces as needed, but so far it's been steady coverage on pure speculation. We've also started to see a shift on social, due largely to Jed and his team's efforts to shift the narrative towards shining a spotlight on Blake and Ryan. Again we'll continue to send links and screenshots but wanted to send an update in the meantime.

Priority: Normal

10/08/2024 15:35:40(UTC+0)

20. That same day, Ms. Nathan noted that as part of this shift, “[t]he majority of socials are so pro Justin *and I don’t even agree with half of them [sic] lol.*”

From: Melissa Nathan
To: Jennifer Abel (owner)

The majority of socials are so pro Justin and I don't even agree with half of them lol

Priority: Normal

10/08/2024 16:34:59(UTC+0)

21. Ms. Nathan then bragged to Ms. Abel that Mr. Baldoni “doesn’t realise how lucky he is right now,” by which they were referring to their successful efforts to shut down stories that would have revealed how Mr. Baldoni’s behavior, including “sexual connotations” on set, had made cast and crew (beyond Ms. Lively) “uncomfortable.”

From: Melissa Nathan
To: Jennifer Abel (owner)

He doesn't realise how lucky he is right now we need to press on him just how fucking lucky

Priority: Normal

10/08/2024 16:39:19(UTC+0)

From: Melissa Nathan
To: Jennifer Abel (owner)

The whispering in the ear the sexual connotations like Jesus fucking Christ
Other members feeling uncomfortable watching it I mean there is just so much

Priority: Normal

10/08/2024 16:39:44(UTC+0)

22. Less than one week later, they again bragged about how they had shut down stories regarding HR complaints on set. On August 15, 2024, Melissa Nathan remarked that “*this went so well . . . It was genius. So okay, we have the four majors standing down on HR complaint.*”

From: Melissa Nathan
To: Jennifer Abel (owner)

Jen, this went so well I am fucking dying
I have to call you later in a bit and tell you how this went. It was genius.

Priority: Normal

15/08/2024 19:03:14(UTC+0)

From: Melissa Nathan
To: Jennifer Abel (owner)

So okay, we have the four majors standing down on HR complaint
I think we are fine on that bit.

Priority: Normal

15/08/2024 19:03:25(UTC+0)

23. On August 16, Ms. Nathan circulated a Daily Mail article entitled, “*Is Blake Lively set to be CANCELLED? String of 'hard to watch' videos that have surfaced following 'tone deaf' Q&A to promote It Ends With Us could tarnish 36-year-old star's golden Hollywood image for good,*” to which Ms. Abel responded: “Wow. *You really outdid yourself with this piece,*” and Ms. Nathan replied: “*That's why you hired me right ? I'm the best.*”

Is Blake Lively set to be CANCELLED? String of 'hard to watch' videos that have surfaced following 'tone deaf' Q&A to promote It Ends With Us could tarnish 36-year-old star's golden Hollywood image for good

- Awkward encounters between Lively, who shares four children with Ryan Reynolds, and journalists in recent years are being shared across social media
- READ MORE: Justin Baldoni addresses 'friction' on set of It Ends With

By ALANAH KILGUSA and JO TWEEDEY FOR MAIL ONLINE
PUBLISHED: 07:17 EST, 16 August 2024 | UPDATED: 07:55 EST, 10 December 2024



Share



151
shares

729
View comments

From: Melissa Nathan
To: Jennifer Abel (owner)

<https://mol.im/a/13749783>

Priority: Normal

16/08/2024 12:44:15(UTC+0)

From: Jennifer Abel (owner)
To: Melissa Nathan

Wow

Priority: Normal

16/08/2024 13:37:17(UTC+0)

From: Jennifer Abel (owner)
To: Melissa Nathan

You really outdid yourself with this piece

Priority: Normal

16/08/2024 13:37:32(UTC+0)

From: Melissa Nathan
To: Jennifer Abel (owner)

That's why you hired me right? I'm the best.

Priority: Normal

16/08/2024 13:46:12(UTC+0)

24. As their own words reveal, the purpose of this “social manipulation” plan was two-fold: it aimed to both (a) conceal the pattern of harassment and other misconduct by Mr. Baldoni, Mr. Heath, and Wayfarer, and (b) retaliate against Ms. Lively by battering her image, harming her businesses, and causing her and her family severe emotional harm. Millions of people (including many reporters and influencers) who saw these planted stories, social media posts, and other online content had no idea they were unwitting consumers of a crisis PR, astroturfing, and

digital retaliation campaign created and funded by Mr. Baldoni and Wayfarer to hurt Ms. Lively. That is precisely the goal of an astroturfing campaign—to light the fire and continue to stoke conversations secretly, blurring the line between authentic and manufactured content, and creating viral public takedowns.

25. As laid out in this Complaint, the Baldoni-Wayfarer-led public attack of Ms. Lively was the intended result of a carefully crafted, coordinated, and resourced retaliatory scheme to silence her, and others, from speaking out about the hostile environment that Mr. Baldoni and Mr. Heath created. As such, it was not only unconscionable and a breach of contract, but also *illegal under both state and federal law*. Ms. Lively brings this action to hold Wayfarer and its leaders, Mr. Baldoni, Mr. Heath, and Mr. Sarowitz, accountable for the ongoing⁵ retaliation threats and harm they have caused Ms. Lively, other cast and crew, and all of their families.

PARTIES

26. Plaintiff Blake Lively (“Plaintiff”) is an actress and entrepreneur who co-starred in and served as an executive producer for the Film. Ms. Lively is an individual who resides in New York, New York.

27. Defendant Wayfarer Studios LLC (“Wayfarer” or “Wayfarer Studios”) is a production company co-founded by Justin Baldoni and Steve Sarowitz. Wayfarer co-financed and produced the Film, through its production entity It Ends With Us Movie LLC, and thus was the employer of all cast and crew on set, including Ms. Lively. Wayfarer is a Delaware limited liability company with its principal place of business in California. On information and belief, no members of Wayfarer Studios LLC are citizens of New York. On information and belief, all of Wayfarer’s members are citizens of California and/or Illinois.

28. Defendant Justin Baldoni is a co-founder and co-chairman of Wayfarer who co-starred in, directed, and served as a producer for the Film. Mr. Baldoni is an individual who resides in Santa Paula, California.

⁵ Ms. Lively is informed and believes that Mr. Baldoni and his associates have additional astroturfing plans that they have prepared and are ready to launch at a moment’s notice.

29. Defendant Jamey Heath is an individual who has been Wayfarer's Chief Executive Officer since March 2024 and was President of Wayfarer during production of the Film. Mr. Heath resides in Los Angeles, California.

30. Defendant Steve Sarowitz is a co-founder and leading financier of Wayfarer. Mr. Sarowitz is an individual who resides in Highland Park, Illinois.

31. Defendant It Ends With Us Movie LLC is a company that entered into an agreement regarding Plaintiff's acting services and regarding the contractual rider for the Film. It Ends With Us Movie LLC is a California limited liability company with its principal place of business in California. On information and belief, Defendant Wayfarer is the sole member of It Ends With Us Movie LLC. On information and belief, no members of It Ends With Us Movie LLC are citizens of New York. On information and belief, all of the members of It Ends With Us Movie LLC are citizens of California and/or Illinois.

32. Defendant Melissa Nathan is an individual who provides crisis management and communications services. Ms. Nathan launched The Agency Group PR LLC in January 2024. Ms. Nathan is an individual who resides in North Hollywood, California. During a portion of the relevant period, Ms. Nathan lived in Brooklyn, New York.

33. Defendant The Agency Group PR LLC ("TAG") is a company that provides services including messaging and narrative development, media relations, crisis communications and management, and digital and social strategy. TAG is a Delaware limited liability company with its principal place of business in Santa Monica, California. On information and belief, no members of TAG are citizens of New York.

34. Defendant Jennifer Abel is CEO and founder of RWA Communications LLC. Ms. Abel is an individual who resides in Beverly Hills, California and provides public relations services.

JURISDICTION AND VENUE

35. This Court has original jurisdiction over the claims for relief asserted in this complaint pursuant to 28 U.S.C. § 1331, 28 U.S.C. § 1343 (a)(4), and 28 U.S.C. § 1367.

36. Plaintiff's Title VII causes of action arise under federal law and Plaintiff's California claims arise from the same underlying facts, and are thus so related to her federal claims that they form part of the same case or controversy.

37. This Court additionally has original jurisdiction over the claims for relief asserted in this complaint pursuant to 28 U.S.C. § 1332 because the matter in controversy exceeds the sum or value of \$75,000, exclusive of interest and costs, and no defendant is a citizen of the same State as Plaintiff.

38. This Court may exercise personal jurisdiction over Defendants pursuant to § 301 of the New York Civil Practice Law and Rules because all Defendants systematically and continuously conduct and solicit business within New York and have availed themselves of the privileges of conducting business in the State of New York.

39. This Court may exercise personal jurisdiction over Defendants pursuant to § 302 of the New York Civil Practice Law and Rules, including because, upon information and belief, all Defendants transact and solicit business within the State, have committed the tortious acts described in this Complaint within the State, and/or have committed such acts outside of the State causing injury to Plaintiff within the State.

40. As just a few examples: on January 4, 2024, Mr. Baldoni and Mr. Heath, in their own capacities and as representatives of Wayfarer, met in person in New York with Ms. Lively to discuss her concerns regarding Mr. Baldoni and Mr. Heath's harassing behavior and other on-set misconduct that started the sequence of events leading to this suit; Mr. Sarowitz threatened to ruin the lives of Ms. Lively and her family at the Film's New York premiere; Ms. Abel worked as an employee of Jonesworks with its principal place of business in New York during the relevant period; Wayfarer contracted with Jonesworks for certain communications and public relations services that gave rise to this dispute in an agreement under which Wayfarer consented to jurisdiction in New York; Ms. Nathan conducted business from Brooklyn, New York, during a portion of the relevant period; in their efforts to "bury" Ms. Lively and to conceal Mr. Baldoni's on-set behavior, Ms. Nathan and Ms. Abel targeted New York by, among other things,

communicating with journalists based in New York, including at least one journalist at the New York Post; and each of the Defendants' tortious acts caused injury to Ms. Lively, her family, and/or her businesses in New York.

41. Venue is proper in this district pursuant to 28 U.S.C. § 1391 (b) and (c), because a substantial part of the events or omissions giving rise to these claims occurred in this District and because Defendants are subject to personal jurisdiction in this District.

FACTUAL ALLEGATIONS

A. Justin Baldoni and Jamey Heath of Wayfarer Engage in Inappropriate and Unwelcome Behavior Toward Ms. Lively and Others on the Set of *It Ends with Us*.

42. Mr. Baldoni launched Wayfarer, along with Mr. Sarowitz, in 2020. Mr. Heath serves as Wayfarer's Chief Executive Officer. Mr. Sarowitz is a leading financier of Wayfarer, and he, Mr. Heath, and Mr. Baldoni are all close personal friends. Under the Wayfarer banner, Mr. Baldoni and Mr. Heath have many platforms, including the *Man Enough* podcast, which they co-host. Mr. Baldoni and Mr. Heath have positioned Wayfarer as a male-feminist platform that explores gender roles, dismantles toxic masculinity, and creates a safer and judgment-free society for women.

43. Mr. Baldoni serves not only as the co-founder and co-chairman of the Studio that financed and ran production on *It Ends With Us*, he also served as Director, Executive Producer, and co-lead Actor playing the role of Ryle Kincaid. As Studio Head and Director, all actors, crew, and staff on the Film—including Ms. Lively—answered to Mr. Baldoni. In his words, he was “the leader” who sat “at the top of this totem pole . . .” While Sony was the distributor releasing the Film, Wayfarer was responsible for the production, and Wayfarer was led by Mr. Baldoni and Mr. Heath.

44. Production of the Film began in early May 2023, and lasted until it was suspended in mid-June 2023, due to the Writers Guild of America (“WGA”) strike.

45. During that time, Ms. Lively and other cast and crew experienced invasive, unwelcome, unprofessional, and sexually inappropriate behavior by Mr. Baldoni and Mr. Heath. Because Mr. Baldoni and Mr. Heath held all leadership positions on the production, they answered to no one, and brushed off or ignored the concerns Ms. Lively and others expressed.

a. Mr. Baldoni ignored well-established industry protocols in filming intimate scenes, and exploited the lack of controls on set to behave inappropriately.

46. Wayfarer failed to adhere to guild rules, as well as Ms. Lively's contract, and standard industry safety protocols with respect to nudity and intimate scenes, which the Screen Actors Guild and the American Federation of Television and Radio Artists ("SAG-AFTRA") acknowledges "place performers in uniquely vulnerable situations."⁶ Such safeguards ignored by Wayfarer include: providing performers with appropriate notice of nudity and simulated sex and ensuring that (i) consent is given free of pressure or coercion, (ii) signed "nudity riders" are in place, spelling out the parameters of nudity or simulated sex scenes, (iii) "safe and secure working conditions that are not detrimental to [a performer's] health, safety, morals and career,"⁷ and (iv) the use of "intimacy coordinators" to observe intimate scenes.

47. Without these protections in place, Mr. Baldoni improvised physical intimacy that had not been rehearsed, choreographed, or discussed with Ms. Lively, with no intimacy coordinator involved. For instance, Mr. Baldoni discreetly bit and sucked on Ms. Lively's lower lip during a scene in which he improvised numerous kisses on each take. Mr. Baldoni insisted on shooting the full scene over and over again, well beyond what would have been required on an ordinary set, and without advance notice or consent.

⁶ *Quick Guide for Scenes Involving Nudity and Simulated Sex*, (Dec. 29, 2024, 6:27 PM), <https://www.sagaftra.org/quick-guide-scenes-involving-nudity-and-simulated-sex-0>.

⁷ *Id.*

48. On another occasion, Mr. Baldoni and Ms. Lively were filming a slow dance scene for a montage in which no sound was recorded. Mr. Baldoni chose to let the camera roll and have them perform the scene, but did not act in character as Ryle; instead, he spoke to Ms. Lively out of character as himself. At one point, he leaned forward and slowly dragged his lips from her ear and down her neck as he said, “it smells so good.” None of this was remotely in character, or based on any dialogue in the script, and nothing needed to be said because, again, there was no sound—Mr. Baldoni was caressing Mr. Lively with his mouth in a way that had nothing to do with their roles. When Ms. Lively later objected to this behavior, Ms. Baldoni’s response was, “I’m not even attracted to you.”

b. Mr. Baldoni inserted improvised gratuitous sexual content and/or scenes involving nudity into the film (including for an underage character) in highly unsettling ways.

49. After Ms. Lively signed onto the movie based on a draft of the script, Mr. Baldoni, without Ms. Lively’s knowledge or consent, personally added graphic content, including a scene in which Ms. Lively was to orgasm on-camera.

50. When Ms. Lively objected to these additions, Mr. Baldoni insisted he had added them because he was making the Film “through the female gaze.” Although he agreed to remove the scenes, he made a last-ditch attempt to keep one in which the couple orgasm together on their wedding night, which he said was important to him because he and his partner climax simultaneously during intercourse. Mr. Baldoni then intrusively asked Ms. Lively whether she and her husband climax simultaneously during intercourse, which Ms. Lively found invasive and refused to discuss.

51. On the day of shooting the scene in which Ms. Lively’s character gives birth, Mr. Baldoni and Mr. Heath suddenly pressured Ms. Lively to simulate full nudity, despite no mention of nudity for this scene in the script, her contract, or in previous creative discussions.

Mr. Baldoni insisted to Ms. Lively that women give birth naked, and that his wife had “ripped her clothes off” during labor. He claimed it was “not normal” for women to remain in their hospital gowns while giving birth. Ms. Lively disagreed, but felt forced into a compromise that she would be naked from below the chest down.⁸

52. When the birth scene was filmed, the set was chaotic, crowded, and utterly lacking in standard industry protections for filming nude scenes—such as choreographing the scene with an intimacy coordinator, having a signed nudity rider, or simply turning off the monitors so the scene was not broadcast to all crew on set (and on their personal phones and iPad). Mr. Heath and Mr. Baldoni also failed to close the set, allowing non-essential crew to pass through while Ms. Lively was mostly nude with her legs spread wide in stirrups and only a small piece of fabric covering her genitalia. Among the non-essential persons present that day was Wayfarer co-Chairman Mr. Sarowitz, who flew in for one of his few set visits. Ms. Lively was not provided with anything to cover herself with between takes until after she had made multiple requests. Ms. Lively became even more alarmed when Mr. Baldoni introduced his “best friend” to play the role of the OBGYN, when ordinarily, a small role of this nature would be filled by a local actor. Ms. Lively felt that the selection of Mr. Baldoni’s friend for this intimate role, in which the actor’s face and hands were in close proximity to her nearly nude genitalia for a birth scene, was invasive and humiliating.

53. To add insult to injury, Mr. Heath approached Ms. Lively and her assistant on set and started playing a video of a fully nude woman with her legs spread apart. Ms. Lively thought he was showing her pornography and stopped him. Mr. Heath explained that the video

⁸ Generally, nudity below the waist in film utilizes a small piece of nude fabric glued around the female actor’s genitalia to provide some minimal privacy without disturbing the shot (because that fabric is not able to have visible straps from profile camera angles).

was his wife giving birth. Ms. Lively was alarmed and asked Mr. Heath if his wife knew he was sharing the video, to which he replied “She isn’t weird about this stuff,” as if Ms. Lively was weird for not welcoming it. Ms. Lively and her assistant excused themselves, stunned that Mr. Heath had shown them a nude video.

54. Mr. Baldoni added a detailed scene to the Film in which the underage version of Ms. Lively’s character, Lily, loses her virginity. In both the book and the script for the Film, there was no sex scene; instead, the details about this moment were left to the audience’s imagination. But Mr. Baldoni added in considerable details, including both dialogue between Young Lily and her boyfriend (Atlas) about the loss of her virginity, as well as a simulated sex scene in which Mr. Baldoni filmed, and included in his initial cut of the Film, a close up of Young Lily’s face, accompanied by an audible gasp at the moment of penetration. Ms. Lively was informed that when this scene was shot, after Mr. Baldoni called “cut,” he walked over to the actors and said, “I know I’m not supposed to say this, but that was hot,” and, “did you two practice this before?”

c. Mr. Baldoni and Mr. Heath discussed their personal sexual experiences and previous porn addiction, and tried to pressure Ms. Lively to reveal details about her intimate life.

55. During a car ride with Ms. Lively, her assistant, and driver, Mr. Baldoni claimed to Ms. Lively that he had been sexually abused by a former girlfriend (which he has since shared publicly). At the end of this story, Mr. Baldoni shared that it had caused him to reexamine his past. He then said: “Did I always ask for consent? No. Did I always listen when they said no? No.” Mr. Baldoni claimed this was an example of how we all have things from which we can learn and grow. Ms. Lively was unsettled by Mr. Baldoni’s suggestion that he had engaged in sexual conduct without consent. When Ms. Lively exited the car, her driver immediately remarked that he did not want Ms. Lively to be alone with Mr. Baldoni going forward.

56. On the first day of production, Mr. Baldoni and Mr. Heath described their past sexual relationships to Ms. Lively, including that one of them used to “hook up” with a woman. Mr. Baldoni said that he had decided the woman wasn’t “the one,” so then Mr. Heath had gotten together with her. Ms. Lively found this description of passing along a woman to be disrespectful and disturbing.

57. Mr. Baldoni and Mr. Heath often spoke of their “previous pornography addiction.” Mr. Baldoni would often reference pornography to Ms. Lively. Hoping to shut the subject down, she said to him privately that she had never seen it. Later, when Mr. Baldoni was once again referencing his experiences with pornography, he revealed in front of other cast and crew that Ms. Lively had never “seen porn.” It was an incredible invasion of her privacy to discuss any aspect of her intimate life with the cast and crew, much less reveal something that she had only told Mr. Baldoni to try to get him to stop talking about the subject with her.

58. Mr. Baldoni engaged in other behaviors that were shocking and emotionally distressing. For example, he claimed he could speak to the dead, and on several occasions told her that he had spoken to her dead father. It was off putting and violative for Ms. Baldoni to claim a personal relationship with her recently deceased father. Mr. Baldoni and Mr. Heath were also constantly hugging and touching cast and crew. When Ms. Lively or others avoided this touching, Mr. Baldoni and Mr. Heath would retaliate by becoming irritated, cold, and uncollaborative. The result was an unwelcoming and mercurial environment for Ms. Lively, her employees, and others on set.

d. Mr. Baldoni objectified Ms. Lively and other women by commenting on or criticizing their bodies as sex objects.

59. Mr. Baldoni often referred to women in the workplace as “sexy.” When they expressed discomfort, Mr. Baldoni would deflect or try to pass it off, which undermined Ms.

Lively and others' concerns. For example, on one occasion that Ms. Lively observed, he told a female cast member that her leather pants looked "sexy" when she arrived to the set. When she rebuffed his comment because she was uncomfortable, rather than apologizing, he brushed it off with "I can say that because my wife is here today." Ms. Lively felt embarrassed witnessing this kind of commentary, as did others.

60. On another day, Ms. Lively wore a low-cut dress to facilitate breast feeding, but had it covered up with a coat. When the jacket briefly popped open at one point to reveal the dress, Mr. Baldoni commented about how much he liked her outfit, which flustered Ms. Lively. Later that day, Mr. Baldoni pressured Ms. Lively (who was in her pre-approved wardrobe) to remove her coat in front of the crew and multiple background actors in a packed bar. He said that he wanted to see her "onesie" under the coat because it was zipped low to reveal her lace bra. Consistent with past practice, he said, "I think you look sexy" in a tone that made her feel ogled and exposed. With other female cast members present, she said, "that's not what I'm going for." He bristled and replied, "I'm sorry, hot." Deeply uncomfortable, Ms. Lively said, "not that either." Mr. Baldoni, responded sarcastically, "I guess I missed the HR meeting," and walked away. Another woman on the production spoke to Ms. Lively afterward to offer empathy and to share her own similar experiences with Mr. Baldoni commenting about her in sexual terms.

61. As a result of Mr. Baldoni's behavior, on May 29, 2023, another cast member lodged a sexual harassment complaint about Mr. Baldoni's "gross" and "unwanted comment[s]" towards her and others.

62. While, on the one hand, Mr. Baldoni was objectifying Ms. Lively as a sex object, on the other hand, he went out of his way to message criticisms of her age and weight, neither of which she could change during filming. On the second day of filming, for example, Mr.

Baldoni made the rest of the cast and crew wait for hours while he cried in Ms. Lively's dressing room, claiming social media commentators were saying that Ms. Lively looked old and unattractive based on paparazzi photos from the set. Ms. Lively tried to reassure him that she should look authentic in the scenes depicted in the photos, which were just after her character had been abused by her fictional husband, rather than "hot"—Mr. Baldoni, however, appeared focused on Ms. Lively's sexual appeal above all else. His lengthy outburst caused a delay in shooting, forcing an emotional scene to be shot haphazardly.

63. To make matters worse, when Ms. Lively tried to have a meeting with Mr. Heath and the other producers to discuss Mr. Baldoni's unprofessional behavior described above, that meeting turned into yet another violation. Rather than an ordinary meeting time and place, Mr. Heath arrived unannounced at Ms. Lively's hair and makeup trailer while she was topless and having body makeup removed by makeup artists. Ms. Lively told Mr. Heath that she was almost done and they could meet once she was clothed. Mr. Heath, however, insisted that if she did not allow him into her trailer to speak to him at that moment, then there would be no meeting with the other producers. Ms. Lively reluctantly agreed, but asked that Mr. Heath keep his back turned. A few minutes into the conversation, Ms. Lively noticed that Mr. Heath was staring directly at her while she was topless. When she called him out, Mr. Heath brushed it off as a habit of wanting to look at a person while speaking to them. Ms. Lively and her hair and makeup artists were all deeply disturbed by this interaction on just the second day of filming.

64. Throughout filming, Mr. Baldoni and Mr. Heath invaded Ms. Lively's privacy by entering her makeup trailer uninvited while she was undressed, including when she was breastfeeding her infant child. Ms. Lively often had to work while breastfeeding, which she felt comfortable doing so long as she was given the time and space to cover herself. She did this

frequently, because she was not given breaks to feed her baby,⁹ but Ms. Lively did not expect or consent to anyone entering her private spaces while topless, exposed, and vulnerable with her newborn, or during body makeup application or removal. Mr. Baldoni and Mr. Heath both showed a shocking lack of boundaries by invading her personal space when she was undressed and vulnerable.

65. Mr. Baldoni also routinely degraded Ms. Lively by finding back channel ways of criticizing her body and weight. A few weeks before filming began and less than four months after Ms. Lively had given birth to her fourth child, Ms. Lively was humiliated to learn that Mr. Baldoni secretly called her fitness trainer, without her knowledge or permission, and implied that he wanted her to lose weight in two weeks. Mr. Baldoni told the trainer that he had asked because he was concerned about having to pick Ms. Lively up in a scene for the movie, but there was no such scene.¹⁰

66. When Ms. Lively caught strep throat, Mr. Baldoni offered as a “gift” to connect her with an expert he had on retainer to help her with probiotics and to combat the sickness. When Ms. Lively went to fill out the privacy forms, she saw that the expert was not what Mr. Baldoni had represented her to be, but was instead a weight-loss specialist. Ms. Lively felt, once again, that Mr. Baldoni was shaming her for her body and weight.

67. Mr. Baldoni and Mr. Heath also failed to implement COVID protocols when there was a COVID outbreak on set. Ms. Lively was told by another producer that because Wayfarer did not have insurance coverage for COVID, Mr. Baldoni and Mr. Heath deliberately

⁹ Ms. Lively was not given proper lactation breaks by Wayfarer during filming, which sometimes stretched into six hours without a break. When filming finally broke, Ms. Lively would have to run to her trailer to breastfeed. The lack of accommodation for her need to express milk caused her to develop painful mastitis.

¹⁰ In later text messages sent to his team, Mr. Baldoni referred to Ms. Lively’s trainer as “a damn spy” and sought to plant stories to portray his concerns as being motivated by his lower back pain.

withheld from Ms. Lively that she had been exposed to COVID. Both Ms. Lively and her infant child contracted COVID from the outbreak.

B. Ms. Lively And Others Lodge Grievances Regarding the Conduct of Mr. Baldoni and Mr. Heath, Which Wayfarer Declines to Investigate.

68. As the studio producing the Film, Wayfarer was the employer of all the cast and crew and was thus responsible for ensuring workplace safety on set.

69. However, Wayfarer failed to provide Ms. Lively with even rudimentary employment protections, such an employee handbook, sexual harassment policy, information or any training on sexual harassment, discrimination, or respectful workplace expectations.

70. Wayfarer also failed to provide Ms. Lively with information about the process and procedure for filing human resources (“HR”) complaints.

71. As the producer and owner of the Film, Wayfarer was legally obligated to address HR-related concerns or complaints. To Ms. Lively’s knowledge, however, Wayfarer lacked any process for responding to complaints about its leadership, Mr. Baldoni and Mr. Heath, who plainly were not going to investigate themselves.

72. On May 26, 2023, Ms. Lively told a representative of Sony that she wanted to file an HR complaint about both Mr. Baldoni and Mr. Heath’s misconduct. The Sony representative told Ms. Lively that Sony, as the distributor of the film, was not empowered to control Mr. Baldoni or Mr. Heath’s behavior on set, and that such concerns must be raised with Wayfarer, the studio responsible for the production.

73. Wayfarer, Mr. Baldoni, and Mr. Heath received or were aware of a number of HR grievances regarding their conduct. For example, on the first day of filming, while attempting to hug Ms. Lively’s employee, Mr. Heath said “I don’t even know if we’re allowed to do this. It’s day one and we have an HR report already.”

74. Additionally, early in the production, another actress made a complaint about Mr. Baldoni's comments on her appearance. Mr. Baldoni expressly acknowledged her concerns in writing, stating "adjustments will be made accordingly." Yet on June 8, 2023, that actress informed Ms. Lively that "outside of anything in a scene, I actually cannot talk to Justin at all." Mr. Baldoni later expressed suspicion regarding Ms. Lively's friendship with this actress, as if they were colluding against him.

75. As described above, Ms. Lively and others attempted to raise concerns to Mr. Baldoni and Mr. Heath regarding certain of the conduct described during filming, but they were not addressed given the futility of asking Mr. Baldoni and Mr. Heath to address their own behavior.

76. After unsuccessfully attempting to raise concerns with Sony, Ms. Lively expressly told Mr. Baldoni and Mr. Heath that there were serious HR problems on set. Mr. Heath responded that they knew, implying that someone had mentioned to them that Ms. Lively had raised concerns. In response, Mr. Heath told Ms. Lively that he thought she had wanted to see the nude video of his wife.

77. In the same conversation, when Ms. Lively expressed her upset that Mr. Heath and Mr. Baldoni had hidden the fact that she had been exposed to a COVID outbreak on set from which she and her infant contracted COVID, instead of acknowledging responsibility and committing to safety moving forward, they expressed upset over production days missed and resulting costs.

78. Despite receiving multiple, detailed reports by Ms. Lively and others about Mr. Baldoni and Mr. Heath's misconduct, Wayfarer failed to investigate those reports or to

otherwise institute protections for the cast. This is so even though the incidents discussed above, among others, did not take place in isolation and many, if not all, were witnessed by others.

79. By these and other behaviors, Mr. Baldoni, Mr. Heath, and Wayfarer engaged in harassing conduct and failed their obligations to investigate complaints of workplace harassment, prevent inappropriate and harassing behaviors on set, and provide avenues for cast and crew members to safely raise concerns to neutral parties so that they could be investigated and appropriately addressed.

C. The Parties Negotiate A Contract Rider Regarding Mr. Baldoni's and Mr. Heath's Conduct on the Set of *It Ends with Us*.

80. On May 2, 2023, the WGA, made up of two American labor unions representing more than 16,000 writers in film, television, radio, and online media, went on strike in connection with a labor dispute with the Alliance of Motion Picture and Television Producers.

81. The Film temporarily halted production in June 2023 as a result of WGA picketing. On June 15, 2023, Wayfarer and Mr. Baldoni announced the continued halted production of the Film due to the ongoing WGA strike and the lost days experienced from picketing.

82. While the WGA strike was underway, on July 14, 2023, the American actor's union known as SAG-AFTRA, a labor union that represents about 160,000 people in the entertainment industry, including actors, recording artists, radio personalities and other media professionals, began to strike due to a labor dispute with the Alliance of Motion Picture and Television Producers.

83. The WGA strike ended on September 27, 2023, and the SAG-AFTRA strike ended on November 9, 2023.

84. Before returning to production, Ms. Lively attempted to address and resolve the problems on set and requested that Wayfarer agree to address the conditions described above.

85. On November 9, 2023, Ms. Lively's attorneys provided Wayfarer's attorney with a document entitled, "Protections for Return to Production," attached hereto as **Exhibit A**.

86. In conveying the Protections for Return to Production document, Ms. Lively requested that Wayfarer agree to implement a plan that would enable everyone to return to work and complete the Film with adequate protections to ensure a safe set moving forward.

87. On November 11, 2023, counsel for Wayfarer indicated that "Wayfarer, Sony and Production respectfully acknowledge that your client has concerns regarding safety, professionalism and workplace culture. Although our perspective differs in many aspects, ensuring a safe environment for all involved is paramount, irrespective of differing viewpoints. Regarding your outlined requests, *we find most of them not only reasonable but also essential for the benefit of all parties involved.*"

88. On November 15, 2023, Wayfarer, through It Ends With Us Movie LLC, agreed to the terms in a contractual rider, executed on January 19, 2024, and attached hereto as **Exhibit B**.

89. Among the contract rider's provisions:

(a) The first provision required that "An intimacy coordinator must be present at all times when [Ms. Lively] is on set."

(b) The second provision required that, "With respect to Artist, any and all rehearsal, filming, reviewing of video playback or dailies and/or any other interaction with any scene involving simulated sex, nudity and/or partial nudity shall be restricted to those persons with

essential business reasons for being present (“Essential Personnel”) as approved by [Ms. Lively] and Todd Black as further described in the nudity rider attached as Schedule I [] (“Nudity Rider”).”

(c) The third provision required that “There is to be no spontaneous improvising of any scenes involving intimate/sexual physical touching, simulated sex, or nudity with respect to [Ms. Lively]. Scenes involving [Ms. Lively] that involves [*sic*] kissing, depictions of sexual intercourse, or any other intimate/sexual physical touching must be contained in the screenplay (i.e., the most up to date draft approved by [Ms. Lively] in writing), choreographed in advance in the presence of the intimacy coordinator, and may only proceed as choreographed with the consent of all participants in advance.”

(d) The fourth provision required that “Physical touching and/or comments on [Ms. Lively]’s physical appearance must only be done/made in connection with the character and scene work, not as to [Ms. Lively] personally. Except as written into the screenplay or as strictly required in connection with make-up or costume preparation, there is to be no physical touching (including hugging) of [Ms. Lively], her on-set personnel and/or her employees.”

(e) The fifth provision required that “There are to be no discussions with [Ms. Lively] of personal experiences with sex or nudity, including as it relates to conduct with spouses or others.”

(f) The sixth provision required that “No one will enter, attempt to enter, interrupt, pressure, or request entrance to [Ms. Lively]’s trailer while she is in a state of undress for any reason.”

(g) The seventh provision required that “There shall be no rehearsal or filming of [Ms. Lively] (including [Ms. Lively]’s approved body double) of any nudity, partial nudity, and/or simulated sex except as expressly permitted in accordance with the Nudity Rider. Any such

footage of [Ms. Lively] (or [Ms. Lively]'s body double) previously shot without the Nudity Rider in place may not be used without [Ms. Lively]'s and her legal representatives' prior, written consent."

(h) The tenth provision required that *"There shall be no retaliation of any kind against [Ms. Lively] for raising concerns about the conduct described in this letter or for these requirements. Any changes in attitude, sarcasm, marginalization or other negative behavior, either on set or otherwise, including during publicity and promotional work, as a result of these requests is retaliatory and unacceptable, and will be met with immediate action."*

(i) The twelfth provision required that "Wayfarer will engage an additional, experienced A-level producer, approved by [Ms. Lively] (Todd Black is hereby approved) (the "Approved Producer), to actively supervise the production, including monitoring the safety of the cast and crew, ensuring compliance with the schedule and overseeing logistics, problem solving and creative issues provided that Company shall have the right to approve the agreement with the Approved Producer."

(j) The fifteenth provision required that "Any rehearsal or shooting involving [Ms. Lively], or any other performer depicting the character of "Lily," that involves nudity (including partial nudity) or simulated sex must be conducted strictly in accordance with the Nudity Rider and must adhere to the approved script."

(k) The sixteenth provision provided that "Any and all day players that participate in any way in scenes with [Ms. Lively] involving nudity, partial nudity and/or simulated sex must be engaged through customary industry talent agencies and not through personal connections of the director and/or producer."

(l) The seventeenth provision required that “At [Ms. Lively]’s election, an all-hands, in-person meeting before production resumes will include the director, the existing producers, the Sony representative, the Approved Producer, [Ms. Lively] and [Ms. Lively]’s designated representatives to confirm and approve a plan for implementation of the above that will be adhered to for the physical and emotional safety of [Ms. Lively], her employees and all cast and crew moving forward.”

90. The contract rider expressly referenced the parties’ Actor Loanout Agreement, dated May 5, 2023, and deemed the terms and conditions incorporated into that agreement.¹¹

91. The “all-hands, in-person” meeting provided for in the contract rider occurred on January 4, 2024, before production resumed, as described above. The meeting was attended by Mr. Baldoni, Mr. Heath, producer Alex Saks, producer Todd Black, and Sony’s Ange Gianetti, as well as Ms. Lively and her husband, who attended at Ms. Lively’s request as another designated representative (as provided for in the contract) given the subject matter of the meeting.

92. At the January 4, 2024 meeting, the parties discussed a list of twenty examples of the behaviors that gave rise to the contract rider from her contemporaneous notes. These behaviors are listed in full earlier in this Complaint at Paragraph 3.

93. Neither Mr. Baldoni nor Mr. Heath denied the veracity of Ms. Lively’s examples.

¹¹ That Loanout Agreement contains an express choice of law provision in which the Parties selected California law to govern issues respecting issues going to the contract’s validity, interpretation, performance, and any other dispute arising from the services contemplated in the agreement.

94. Ms. Lively requested that Mr. Baldoni and Mr. Heath agree that such behaviors would no longer take place, as memorialized in the language of the Rider, and Mr. Baldoni and Mr. Heath agreed.

D. Production Concluded and Ms. Lively and Other Cast and Crew Promoted The Film According to the Marketing Plan.

95. Production of the Film resumed on January 5, 2024, and concluded February 9, 2024.

96. In connection with the Film's public release, Ms. Lively and the rest of the cast actively promoted the Film in accordance with the Marketing Plan for the Film, attached hereto as **Exhibit C**. Wayfarer had embraced, and on information and belief, had formally approved of, this Marketing Plan.

97. The Marketing Plan, and related talking points, expressly required Ms. Lively, as well as all other cast and crew engaged in promotional activities, to "[f]ocus more on [her character's] strength and resilience as opposed to describing the film as a story about domestic violence" and to "[a]void talking about this film [*sic*] that makes it feel sad or heavy – it's a story of hope."

98. As detailed above, Ms. Lively and fellow cast members promoted the Film in accordance with the talking points and Marketing Plan during appearances on red carpets, interviews, press junkets, fan events, and pop-up experiences leading up to the Film's release.

99. Mr. Baldoni publicly embraced the Marketing Plan. In early May 2024, Mr. Baldoni appeared at a floral-themed trailer launch event, which included him personally making flower bouquets for influencers, a photo opportunity, and film-branded latte art. As late as July 25, 2024, Mr. Baldoni appeared at a pop-up of Lily Bloom's flower shop in Century City, California, where he held a long stem rose microphone and playfully gave tours of the shop to

influencers. In a TikTok interview, posted that day, Mr. Baldoni excitedly walked through the pop-up and stated that he will be giving tours “all day every day” until August 9.



100. In advance of the release of the Film, nearly all cast members chose to appear in public separately from Mr. Baldoni, given his on-set behavior. Mr. Baldoni became concerned that the public would discover that “something is much bigger under the surface,” on information and belief, alluding to the complaints lodged by Ms. Lively and others.

101. At that point, Mr. Baldoni pivoted away from the Film’s Marketing Plan to explain his absence from the rest of the cast. He shifted his focus away from a message of female *triumph*, to instead capitalize on female trauma. After the Film’s premiere, Mr. Baldoni changed his Instagram profile, cancelled lighthearted social media posts, and instructed his team to look for survivor reactions and support—all in an effort to quickly shift his own public narrative to focus solely on survivors and domestic violence organizations.

102. Ms. Abel cautioned Mr. Baldoni that this shift might be “too drastic too soon.” Still, Mr. Baldoni insisted on a “Tik Tok strategy” and that his promotional activities for the Film should seek to amplify what he described as “survivor content.”

From: Justin Baldoni
To: Jennifer Abel (owner)
Hey just landed
What is the Tik Tok strategy.
I'd like you guys to start posting me ONLY talking about domestic violence and clips and why this movie is so important
Priority: Normal
08/08/2024 19:30:16(UTC+0)

103. The team followed Mr. Baldoni’s instructions. For her part, Ms. Abel concluded, “[i]t doesn’t feel performative now that you’ve done major substantial press on the topic.” On August 11, 2024, Ms. Abel laid out a posting timeline to Mr. Baldoni and the team, stating, “[t]heater surprise and then I think survivor content first thing tomorrow am[,] which then will be helpful for news cycle.”

104. By repositioning Mr. Baldoni’s marketing of the Film, on information and belief, Mr. Baldoni hoped to create the false impression that he had *chosen* not to appear alongside other cast members. Mr. Baldoni directed his team to share on his public Instagram feed the *private* messages he had received from survivors sharing their stories of domestic violence with him. Mr. Baldoni’s team talked him out of these ideas, writing that they “do not recommend using private DMs as content.”

From: Justin Baldoni
To: Jennifer Abel (owner)
Also/ I need you guys to really be on all the stories I'm tagged in.
I think you should let all people dm me so you can see peoples reactions to film and I can be reposting everything. These next 36 hours are crucial and we need to be on it. Looking at everything. Finding the most emotional and touching content from survivors supporting this film and reposting.
Need you to be finding survivors sharing their stories and amplifying them on my page and TikTok.
Priority: Normal
09/08/2024 15:30:15(UTC+0)

105. Mr. Baldoni went so far as proposing to share a video of a woman's "birth moment," but his team talked him out of it, warning that it might be "perceived as 'weird'" and was "too intimate." Still, Mr. Baldoni's team was more than willing to deploy survivors' stories, reactions, and images to protect Mr. Baldoni's image.

E. Mr. Baldoni and His Team Formulate a Retaliatory Plan.

106. Wayfarer knew the details of Ms. Lively's and others' concerns, the HR complaints raised regarding Mr. Baldoni's and Mr. Heath's behavior, Ms. Lively's contractual rider, and the January 4, 2024 meeting to discuss their behavior. In addition, Wayfarer's PR team knew about the claims by Ms. Lively and others, as well as the Protections Rider, as Wayfarer sent the materials to them in November 2023.

107. As early as May 2024, Mr. Baldoni told his team that they needed a plan to get ahead of the claims against him, in the event they were to go public. Specifically, Mr. Baldoni wrote: "Just want you guys to have a plan. Plans make me feel more at ease."

108. On May 17, 2024, Mr. Baldoni texted his publicist, Jennifer Abel, that, Ms. Lively's husband had blocked him on social media, stating, "We should have a plan for IF she does the same when [the] movie comes out."¹²

109. In June 2024, a month after Mr. Baldoni's first promotional event for the Film, Ms. Lively and others in the cast fulfilled their first publicity obligation for the Film without Mr. Baldoni. They did not publicly discuss the misconduct that had occurred on set. Nor did they ever suggest to Wayfarer or Mr. Baldoni that they intended to discuss their concerns publicly. Yet, on June 20, 2024, Ms. Abel texted Mr. Heath her concern, "*we can't have fans starting to guess why JB is left out of this stuff.*"

110. Likewise, Mr. Baldoni strategized with his publicist, Ms. Abel, about

¹² In fact, both Ms. Lively and her husband had unfollowed Mr. Baldoni's social media accounts ten *months* prior.

various ways in which they might cover up or explain away his on-set misconduct. On June 24, 2024, for example, Mr. Baldoni proposed an “offensive move showing [his] neuro divergence and some of the attributes that come with it,” to explain that “anything that [he had] been ‘accused of’ [was] social awkwardness and impulsive speech”¹³



111. The same day, Ms. Abel reviewed again the agreed upon list of Protections that formed the basis for the contractual rider.

112. On July 24, 2024, Ms. Abel emailed Mr. Heath and others, requesting “the legal letter that was sent to [Ms. Lively] and her team,” stating, “per our conversation, we will go through point by point and draft context surrounding each situation. We can then flag what we are missing that would be *helpful to arm us in the case we need to refute any of the claims....*”

113. On July 26, 2024, Mr. Baldoni sent Ms. Abel a Variety article about Francis Ford Coppola’s inappropriate behavior on set during production of his movie, *Megalopolis*, including his alleged kissing of cast and crew, as described by “unnamed sources.” In conveying

¹³ Consistent with this plan, Mr. Baldoni has recently been making the press rounds discussing his ADHD. See Kimberlee Speakman, *Justin Baldoni Reveals He Was Diagnosed with ADHD at 40 After Struggling Through School: 'I Felt Broken,'* People (Dec. 5, 2024, 8:19 AM) <https://people.com/justin-baldoni-reveals-he-was-diagnosed-with-adhd-at-40-8756535>; Christy Pina, *Justin Baldoni Says He Had "Near Breakdown" While Filming 'It Ends With Us': "There Was So Much Pain,"* The Hollywood Reporter (Dec. 4, 2024, 12:53 PM), <https://www.hollywoodreporter.com/movies/movie-news/justin-baldoni-near-breakdown-it-ends-with-us-sexual-trauma-adhd-1236077524/>; Carly Silva, *Justin Baldoni Reveals New Clinical Diagnosis: 'I Haven't Spoken About This Publicly,'* Parade (Dec. 4, 2024) <https://parade.com/news/justin-baldoni-clinical-diagnosis-adhd-interview-dec-2024>.

the article, Mr. Baldoni stated: “This is the shit that I’m sure they want to do – unnamed sources etc [*sic*] . . .”¹⁴

114. On July 29, 2024, Mr. Baldoni and Ms. Abel discussed a proposal to get ahead of any potential publicity regarding Ms. Lively’s HR complaints against him with a “social and digital” combat plan.

F. Wayfarer Engages Melissa Nathan and TAG on Behalf of Mr. Baldoni to Launch a Retaliation Campaign Against Ms. Lively.

115. As the Film’s release date of August 9, 2024 drew closer, Mr. Baldoni, Mr. Heath, Wayfarer, Ms. Abel, and others continued to pursue a strategy on behalf of Mr. Baldoni and Wayfarer to “arm” themselves against the possibility that Ms. Lively or others might go public with the claims against Mr. Baldoni or Wayfarer.

116. This plan took shape with Wayfarer’s retention (on behalf of Wayfarer and Mr. Baldoni) of Ms. Nathan, which occurred on or around July 31, 2024.

117. Ms. Nathan is a crisis manager. On or about June 20, 2024, Ms. Nathan launched TAG.

118. TAG markets itself as a “team of crisis specialists and communications experts” that “redefines the rules of reputation management.”¹⁵ TAG’s website states, “At TAG, it’s more than just creating a powerful narrative – it’s knowing how to navigate that narrative towards continued success and a lasting legacy.”¹⁶

119. TAG’s website states that it “offers comprehensive communications services for individuals, businesses, and corporations looking to invest in reputation management and the growth of their unique public profiles. TAG specializes in crisis communications, having

¹⁴ See Brent Lang & Tatiana Siegal, *Video of Francis Ford Coppola Kissing ‘Megalopolis’ Extras Surfaces as Crew Members Detail Unprofessional Behavior on Set (EXCLUSIVE)*, Variety (Jul. 26, 2024, 9:47 AM) <https://variety.com/2024/film/news/megalopolis-set-video-francis-ford-coppola-kissing-extras-1236082653/>.

¹⁵ The Agency Group, *The Agency Group PR (TAG)*, <https://tagpr.com/about> (last visited Dec. 19, 2024).

¹⁶ *Id.*

managed some of the biggest public-facing crises to date, and utilizes that fast-paced, reputation-first mindset with all of its day-to-day clients, which span a variety of industries, including entertainment, media, business and sports.”¹⁷ TAG’s services include messaging and narrative development, media relations, crisis communications and management, and digital and social strategy, among others.¹⁸

120. By July 31, 2024, Wayfarer had started to put together a timeline of events to be shared with Ms. Nathan and TAG.

121. According to TAG’s own planning document, the purpose of Ms. Nathan’s engagement was to help Mr. Baldoni “get ahead of the narrative” and mitigate bad press that might arise from Ms. Lively’s and others’ HR complaints becoming public by engaging in techniques, such as a “‘rapid response’ communication system” and “catalog[ing] third party advocates willing to provide a potential quote or engage with reporters on [Mr. Baldoni’s] and [Mr. Heath’s] behalf to mitigate negative narratives from a source outside of Wayfarer.” *See* Exhibit D at 1–2.

122. As set forth above, on August 5, 2024, Mr. Baldoni sent Ms. Abel a screenshot of a thread on X regarding another female public figure’s alleged “history of bullying many women.” Mr. Baldoni stated, “*this is what we would need.*”¹⁹

123. The next day, even though Ms. Nathan and TAG had already begun performing work on behalf of Wayfarer and Mr. Baldoni, Ms. Nathan texted a text chain with Ms. Abel and Mr. Heath providing pricing quotes ranging from \$75,000 to \$175,000 for TAG’s crisis mitigation services.

124. Ms. Nathan explained the quotes as follows:

¹⁷ *Id.*, *Services*, <https://tagpr.com/services> (last visited Dec. 19, 2024).

¹⁸ *Id.*

¹⁹ @selovelena, X, (Aug. 4, 2024, 10:07 AM) <https://x.com/selovelena/status/1820099207996575827>.

(a) “Quote one: \$175k - this will be for a 3-4 month period and includes: website (to discuss) full reddit, full social account take downs, full social crisis team on hand for anything – engage with audiences in the right way, *start threads of theories* (to discuss) this is the way to be fully 100% protected.”

(b) “Quote two \$25k per month - min 3 months as it needs to seed same as above - this will be for creation of social fan engagement to *go back and forth with any negative accounts, helping to change narrative* and stay on track.” Ms. Nathan stated, “*All of this will be most importantly untraceable*. There is a lot more to both of these quotes but, [*sic*] easier to discuss via phone in terms of capabilities and what I have personally experienced in and out of crisis scenarios.”

From: Melissa Nathan
To: Jennifer Abel (owner)

Hi Jamey, Jen

So incredibly glad that the press went so well today and from what I know, Justin felt incredibly supported. He is lucky to have you all.

We took the day today to do some research and get digital quotes in from the two teams we use that get the best results.

As you are both aware, we are in a predicament that we just do not know the outcome of right now.

Saying that, full transparency is key here, we have seen the most innocuous issues turn giant due to socials or the hugest crisis have no effects on social whatsoever- you just cannot tell at this stage. But, BL does have some of the TS fanbase so we will be taking it extremely seriously.

We also understand audience is not solely JB fanbase but, the studio so it is covering all bases time.

Quote one: \$175k - this will be for a 3-4 month period and includes: website (to discuss) full reddit, full social account take downs, full social crisis team on hand for anything - engage with audiences in the right way, start threads of theories (to discuss) this is the way to be fully 100%protected.

Quote two \$25k per month - min 3 months as it needs to seed same as above - this will be for creation of social fan engagement to go back and forth with any negative accounts, helping to change narrative and stay on track.

All of this will be most importantly untraceable.

There is a lot more to both of these quotes but, easier to discuss via phone in terms of capabilities and what I have personally experienced in and out of crisis scenarios.

Either way, I do feel it is better to be safe but - I do realize costs are something I am sure you did not count on when you took on this project nor, this situation.

Let me know when you would like to discuss more - around on PT tomorrow.

M

Priority: Normal

06/08/2024 03:43:49(UTC+0)

125. The Hollywood Reporter announced the retention of Ms. Nathan and TAG on August 13, 2024. That report stated, in part: “The news comes days after sleuths flooded TikTok with speculation about an alleged rift between Baldoni and his cast and crew, including co-star and producer Blake Lively, as well as Hoover. Chatter spiked when fans noticed Baldoni’s absence from joint press events and the lack of group photos of Lively and Baldoni together at the New York premiere Aug. 6. Some also pointed out that neither Lively or Hoover, nor the rest of

the cast, follow Baldoni on Instagram (though he follows them).’’²⁰

F. Mr. Baldoni, Mr. Heath, and Wayfarer Perpetrate A Retaliation Scheme Against Ms. Lively.

126. Ms. Abel, Ms. Nathan, and others employed or engaged by TAG perpetrated a retaliation scheme against Ms. Lively, in collusion with Mr. Baldoni, Mr. Heath, and Wayfarer. This scheme was what TAG described as a “social manipulation” plan relying on direct and constant media engagement, the seeding of content on traditional and social media platforms, the boosting of content (sometimes the very content that TAG and its affiliates had seeded), the suppressing of negative content about Mr. Baldoni, and amplifying of negative content about Ms. Lively.

127. On August 1, 2024, before any of the cast sat down for interviews at the film’s press junkets, Ms. Abel stated to Mr. Heath and Wayfarer personnel that she had held an



²⁰ Carly Thomas & Pamela McClintock, *Justin Baldoni Hires Crisis PR Veteran Amid Alleged 'It Ends With Us' Rift*, The Hollywood Reporter (Aug. 13, 2024, 5:27 PM), <https://www.hollywoodreporter.com/movies/movie-news/justin-baldoni-hires-pr-crisis-manager-melissa-nathan-it-ends-with-us-1235973715/>; see also Anthony D'Alessandro, *'It Ends With Us': Justin Baldoni Hires Crisis PR Vet Melissa Nathan as Rumor Mill Swirls About Filmmaker/ Star's Rift with Blake Lively*, DEADLINE (Aug. 13, 2024, 8:22 PM), <https://deadline.com/2024/08/it-ends-with-us-justin-baldoni-melissa-nathan-blake-lively-1236039853/>; see also Lauren Tousignant, *What the Hell is Going On?*, JEZEBEL (Aug. 14, 2024, 10:32 AM), <https://www.jezebel.com/what-the-hell-is-going-on> (“I don’t know what to make of this. I’m sure Nathan is great at her job, but it feels *wild* to me to hire Depp’s former crisis PR when you’re maybe in some hot water over a movie you made where you play a domestic abuser.”) (emphasis in original); Kristyn Burt, *Justin Baldoni Made a Curious PR Move Amid His Drama With Blake Lively & the 'It Ends With Us' Cast*, Y!entertainment (Aug. 14, 2024, 7:50 AM PDT), <https://www.yahoo.com/entertainment/justin-baldoni-made-curious-pr-145000919.html>; KenJac, *Justin Baldoni Hired Johnny Depp's PR Crisis Manager. A Week Later, The Whole World Turned On Blake Lively*, Barstool Sports (Aug. 22, 2024, 10:10 PM PDT), <https://www.barstoolsports.com/blog/3522813/justin-baldoni-hired-johnny-depps-pr-crisis-manager.-a-week-later-the-whole-world-turned-on-blake-lively>.

in-person meeting with a contributor to People, Fox News, In Touch, and US Weekly. Ms. Abel explained that during the meeting, she had “fully briefed” the contributor “of the situation” with Ms. Lively. Ms. Abel stated that the contributor was “*armed and ready to take this story of Blake weaponizing feminism*,” and assured Mr. Heath that the contributor “*will do anything for us*.”

128. On or around August 2, 2024, Ms. Abel connected the contributor with Ms. Nathan. Subsequently, Ms. Nathan engaged directly with media sources on behalf of Mr. Baldoni and Wayfarer regarding Mr. Baldoni, Ms. Lively, and the Film.

129. On August 2, 2024, Ms. Nathan, Mr. Baldoni, Ms. Abel, and others had a phone call to discuss the services that Ms. Nathan and TAG would provide for Mr. Baldoni and Wayfarer.

130. Subsequently, on August 2, 2024, TAG circulated a document to Mr. Baldoni and others entitled “SCENARIO PLANNING – IT ENDS WITH US,” as described above. *See supra* at ¶ 11; *see also* Exhibit D.

131. Of note, the Scenario Planning Document states, “there are several potential scenarios at play here which we should be prepared for, *should [Ms. Lively] and her team make her grievances public . . .*” *See* Exhibit D at 1.

132. The Scenario Planning Document provides TAG’s “recommendation” “to get ahead of this narrative” *Id.* This included suggesting misleading messaging that: (1) “[p]roduction members lost their jobs due to [Ms. Lively’s] takeover and insisted upon involvement”; (2) Ms. Lively “involved her husband to create an [i]mbalance of power between her and [Mr. Baldoni]”; (3) Ms. Lively has a “less than favorable reputation in the industry”; and (4) Ms. Lively had “a clear, likely motive. . . to bully her way into buying the rights for It Starts With Us,” the sequel to the Film currently owned by Wayfarer. *Id.* at 2.

133. The Scenario Planning document states that TAG could “also *explore planting stories about the weaponization of feminism* and how people in BL’s circle like Taylor Swift, have been accused of utilizing these tactics to ‘bully’ into getting what they want.” *Id.* at 4.

134. Upon review of the Scenario Planning Document, Mr. Baldoni informed Mr. Heath that he was “[n]ot in love with the document they sent – Not sure I’m feeling the protection I felt on the call.”

135. Mr. Heath responded, “That’s the most important part of this is *how quickly they can shut things down and place stories in your favor.*”

136. Later the same day, Ms. Abel conveyed to Ms. Nathan that Mr. Baldoni was questioning whether the plan was aggressive enough, texting that “[Mr. Baldoni] want[ed] to feel like [Ms. Lively *could*] *be buried.*” Ms. Nathan responds: “*Of course—but* you know when we send over the documents we can’t send over the work [*sic*] will or could do because that could get us in a lot of trouble. *We can’t write it down to him. We can’t write we will destroy her Imagine if a document saying all the things that he wants ends up in the wrong hands.*”

From: Jennifer Abel (owner)
To: Melissa Nathan

You can of course do that but I do think he needs to know. I’m going to confidentially send you something he’s texting me and Jamey on the side just to arm you before this call. I think you guys need to be tough and show the strength of what you guys can do in these scenarios. He wants to feel like she can be buried...

Priority: Normal

02/08/2024 13:47:25(UTC+0)

From: Melissa Nathan
To: Jennifer Abel (owner)

Of course- but you know when we send over documents we can’t send over the work we will or could do because that could get us in a lot of trouble

Priority: Normal

02/08/2024 13:47:55(UTC+0)

[...]

From: Melissa Nathan
To: Jennifer Abel (owner)

We can't write it down to him
We can't write we will destroy her. We will go to this. We will do this. We will do this. We will do this.

Priority: Normal

02/08/2024 13:48:24(UTC+0)

[...]

From: Melissa Nathan
To: Jennifer Abel (owner)

He has to look at it as an information document for us to be armed with
That's all . Imagine if a document saying all the things that he wants ends up in the wrong hands.

Priority: Normal

02/08/2024 13:49:03(UTC+0)

137. On August 4, Ms. Abel texted Ms. Nathan, stating, “I’m having reckless thoughts of wanting to plant pieces this week of how horrible Blake is to work with. . . Just to get ahead of it . . . She’s putting us through hell.” (Ms. Lively was, in fact, doing nothing other than engaging in the approved Marketing Plan for the Film at that time.) Ms. Nathan responded, “Same,” and indicated that she had already spoken to the Daily Mail.

From: Jennifer Abel (owner)
To: Melissa Nathan

I’m having reckless thoughts of wanting to plant pieces this week of how horrible Blake is to work with

Priority: Normal

04/08/2024 21:39:36(UTC+0)

From: Jennifer Abel (owner)
To: Melissa Nathan

Just to get ahead of it

Priority: Normal

04/08/2024 21:40:00(UTC+0)

From: Jennifer Abel (owner)
To: Melissa Nathan

She's putting us through hell

Priority: Normal

04/08/2024 21:40:07(UTC+0)

From: Melissa Nathan
To: Jennifer Abel (owner)

Same

Priority: Normal

04/08/2024 21:40:10(UTC+0)

From: Melissa Nathan
To: Jennifer Abel (owner)

Am I already off the records Spoke to the editor Daily Mail because she's my friend.

Priority: Normal

04/08/2024 21:40:22(UTC+0)

From: Melissa Nathan
To: Jennifer Abel (owner)

She's ready when we are

Priority: Normal

04/08/2024 21:40:27(UTC+0)

138. Ms. Abel and Ms. Nathan viewed and referred to their shared work on behalf of Mr. Baldoni and Wayfarer as a “*social combat plan*.”

From: Jennifer Abel (owner)
To: Melissa Nathan

I think we really need to put the social combat plan then into motion

Priority: Normal

07/08/2024 18:53:23(UTC+0)

From: Melissa Nathan
To: Jennifer Abel (owner)

So do I

Priority: Normal

07/08/2024 18:54:20(UTC+0)

139. The same day, Ms. Abel corresponded with TAG personnel regarding her discussion with TAG regarding “*social manipulation*,” which she described as distinct from “social media mitigation” and “proactive fan posting to counter the narrative.”

Timestamp: 07/08/2024 19:06:38(UTC+0) From: Jennifer Abel To: Jamey Heath Melissa Nathan Direction: Outgoing	Subject: Re: Social / Digital Mitigation / Remediation Body: Email header: Body file: mes-127.eml	Status: Sent Account: Snippet: Thanks Katie—just for clarity so we understand. Does this cover your initial fee + what we discussed in terms of social media mitigation and proactive fan posting to counter the narrative, or is this in ADDITION to the 15K previously agreed upon fee for TAG and does NOT include what we discussed with MIN earlier regarding social manipulation (from the separate team based in Hawaii...). In short, is the total fee incurred by Wayfarer 30K, or is there more required to ensure we are properly prote Priority: Normal MD5: 450b8a635e28d823c4130b26f805acb9 Source file: EXTRACTION_FFS.ziproot/private/var/mobile/Library/Mail/Envelope Index 0x2C7F607 (Table: messages, mailboxes, Size: 137003008 bytes) EXTRACTION_FFS.ziproot/private/var/mobile/Library/Mail/Protected Index 0x10324E (Table: addresses, summaries, Size: 79670096 bytes)
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140. When media sources made direct inquiries regarding potentially unflattering stories about Mr. Baldoni specifically, Ms. Nathan, Ms. Abel, and their teams worked to suppress those stories.

141. For example, on August 7, 2024, TAG indicated their intent to leverage “social” to “quiet/kill” media coverage regarding public suspicions regarding Mr. Baldoni’s

disconnect from the Film's cast.

142. On August 9, 2024, Ms. Nathan sent Ms. Abel two links to articles—one from the Hollywood Reporter entitled “*Did Blake Lively, Justin Baldoni Have a Rift Over ‘It Ends With Us’? Sleuthing TikTokers Think So,*” and one from the Daily Mail entitled “*Disturbing TRUTH behind why Blake Lively and her It Ends With Us stars are feuding with Justin Baldoni.*”²¹

143. The Daily Mail article reports on allegations that “Justin Baldoni was ‘chauvinistic’ and ‘borderline abusive’ on the set of *It Ends with Us*,” and discusses this and other claims with respect to the Film and its cast in detail.²²

144. Ms. Abel stated to Ms. Nathan, “I can tell you’ve done a lot of work here,” and continued, “***Nothing about being unsafe. Fat comments. Sexual.***” She concluded, “Thank fucking god.”



²¹ Carly Thomas, *Did Blake Lively, Justin Baldoni Have a Rift Over ‘It Ends With Us’? Sleuthing TikTokers Think So*, The Hollywood Reporter (Aug. 8, 2024, 6:09 PM) <https://www.hollywoodreporter.com/movies/movie-news/blake-lively-justin-baldoni-it-ends-with-us-drama-what-we-know-1235969708/>; James Vituscka & Lillian Gissen, *Disturbing TRUTH behind why Blake Lively and her It Ends With Us stars are feuding with Justin Baldoni*, Dailymail.com (Aug. 9, 2024, 12:52 EDT), <https://www.dailymail.co.uk/tvshowbiz/article-13727789/it-ends-blake-lively-justin-baldonifeud.html>.

²² Vituscka & Gissen, *supra* n. 21.



145. On August 8, 2024, Ms. Abel stated that the situation had moved “from just monitoring and scenario planning . . . to [Ms. Nathan] and me having to have an off the record conversation with outlets such as the today show.” Ms. Abel noted that because of Ms. Nathan’s relationships, those outlets were being “kept at bay.”

146. On August 9, 2024, Ms. Nathan indicated to Ms. Abel that she was on the phone with her sister, Sara Nathan, a journalist at the New York Post and contributor at *Page Six*, and remarked that Mr. Baldoni’s religion should be taken “out” from media coverage. She went on to state, “And mostly The [sic] *misogynistic*.”



147. Later the same day, Ms. Nathan texted Ms. Abel a link of an article on *Page Six* by Sara Nathan entitled “*Truth behind ‘It Ends With Us’ feud rumors: Justin Baldoni made Blake Lively ‘uncomfortable,’ sources say*,” stating, “I knew she would keep uncomfortable.”²³

148. On August 9, 2024, Ms. Abel and Ms. Nathan discussed suppressing two stories that report Ms. Lively was “uncomfortable” on the set.

²³ Sara Nathan, *Truth behind ‘It Ends With Us’ feud rumors: Justin Baldoni made Blake Lively ‘uncomfortable,’ sources say*, *PageSix*, (Aug. 9, 2024, 4:50 PM EDT) <https://pagesix.com/2024/08/09/entertainment/justin-baldoni-made-blake-lively-uncomfortable-sources/>.

149. Ms. Nathan texted, “ALL Press is so overwhelming. Weve [*sic*] confused people. So much mixed messaging. It’s actually really funny if you think about it . . .”

From: Jennifer Abel (owner)
To: Melissa Nathan

So are we in the clear now?!

Priority: Normal

09/08/2024 23:00:50(UTC+0)

From: Jennifer Abel (owner)
To: Melissa Nathan

Did we survive?!

Priority: Normal

09/08/2024 23:00:53(UTC+0)

From: Melissa Nathan
To: Jennifer Abel (owner)

We survived

Priority: Normal

09/08/2024 23:00:57(UTC+0)

[...]

From: Melissa Nathan
To: Jennifer Abel (owner)

ALL Press is so overwhelming
Weve confused people
So much mixed messaging

Priority: Normal

09/08/2024 23:03:21(UTC+0)

From: Melissa Nathan
To: Jennifer Abel (owner)
It's actually really funny if you think about it
Priority: Normal

08/08/2024 23:03:39(UTC+0)

150. Ms. Nathan further texted Ms. Abel that the “worst is over” and that Mr. Baldoni likely would not be “cancelled,” corroborating that the nature of the ongoing campaign was designed to harm Ms. Lively and conceal Mr. Baldoni’s conduct on set.

From: Melissa Nathan
To: Jennifer Abel (owner)
I really think the worst is over. I do think the next few months definitely will be a tiny bit bumpy but not cancelled
Priority: Normal

09/08/2024 23:05:33(UTC+0)

151. The following day, Ms. Abel stated that “The narrative online is so freaking good and fans are still sticking up for Justin and there literally has been no pickup of those two articles which is actually shocking to me. *But I see this as a total success, as does Justin. You did such amazing work.*” Ms. Nathan responded, “So did you.”

From: Jennifer Abel (owner)
To: Melissa Nathan
Hal Yes I had some people text me too and I just didn't respond. The narrative online is so freaking good and fans are still sticking up for Justin and there literally has been no pickup of those two articles which is actually shocking to me. But I see this as a total success, as does Justin.
Priority: Normal

10/08/2024 02:25:08(UTC+0)

From: Jennifer Abel (owner)
To: Melissa Nathan

You did such amazing work

Priority: Normal

10/08/2024 02:25:13(UTC+0)

From: Melissa Nathan
To: Jennifer Abel (owner)

Narrative is CRAZY good
So did you.

Priority: Normal

10/08/2024 02:25:45(UTC+0)

152. Ms. Nathan texted later that same day, “The majority of socials are so pro Justin and I don’t even agree with half of them [sic] lol.”

From: Melissa Nathan
To: Jennifer Abel (owner)

The majority of socials are so pro Justin and I don’t even agree with half of them lol

Priority: Normal

10/08/2024 16:34:59(UTC+0)

153. She continued, “I mean, that was just a lot of work just talking everyone off the fucking ledge for those two pieces[.]” Ms. Nathan followed up again, texting, “He doesn’t realise how lucky he is right now [sic] we need to press on him just how fucking [sic] lucky. *The whispering in the ear [sic] the sexual connotations like Jesus fucking Christ [sic] Other members feeling uncomfortable watching it [sic] I mean there is just so much.*”

From: Melissa Nathan
To: Jennifer Abel (owner)

He doesn't realise how lucky he is right now we need to press on him just how fucking lucky

Priority: Normal

10/08/2024 16:39:19(UTC+0)

From: Melissa Nathan
To: Jennifer Abel (owner)

The whispering in the ear the sexual connotations like Jesus fucking Christ
Other members feeling uncomfortable watching it I mean there is just so much

Priority: Normal

10/08/2024 16:39:44(UTC+0)

154. The following day, Ms. Abel confirmed to Mr. Baldoni that there had been “Nothing. Very very little pickup” and that fans “believe the issue of the ‘feud’ is because she took control of the movie.”

155. Earlier, on August 9, 2024, Ms. Nathan had shared with Ms. Abel that she had been informed “we are crushing it on Reddit.”

From: Melissa Nathan
To: Jennifer Abel (owner)

" we are crushing it on Reddit "

Jed

Priority: Normal

09/08/2024 17:49:57(UTC+0)

156. Ms. Nathan’s reference to “Jed,” is a reference to Mr. Jed Wallace, an independent contractor based in Austin, Texas, whose company, Street Relations, offers public relations and crisis management services. On information and belief, Mr. Wallace has described himself as a “hired gun” and claimed a “proprietary formula for defining artists and trends.” Mr. Wallace had worked on previous matters with Ms. Nathan, and was retained by TAG to perform social media services on behalf of Wayfarer and Mr. Baldoni in connection with TAG’s

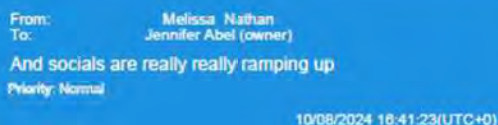
engagement. The quotation appears to be a reference to efforts by Mr. Wallace to seed and influence online forums on Reddit attacking Ms. Lively and defending Mr. Baldoni.

157. The same day, an employee of TAG texted a link to a salacious story about Ms. Lively's family and noted, "The tides are swirling around Ryan now FYI." Along these same lines, the team had previously shared an upsetting TikTok video which called for Blake "to divorce Ryan," writing, "You guys will love this." TAG then described this post as "Very helpful."



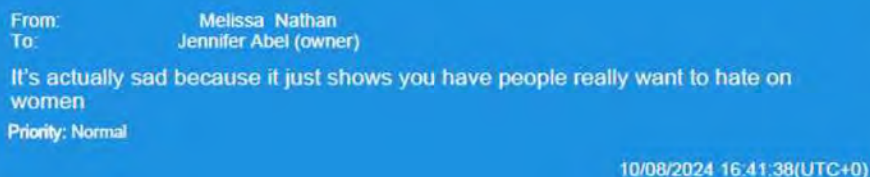
From: Jennifer Abel (owner)
To:
You guys will love this: <https://www.tiktok.com/t/ZTNgvTu68/>
Basically saying that Blake needs to divorce Ryan because he's made her into a meme. He's ruining her biggest movie of the year, forcing her to ostracize Justin, rewriting the script etc.
Priority: Normal
08/08/2024 13:35:32(UTC+0)

158. On August 10, 2024, Ms. Nathan stated to Ms. Abel that "socials are really really ramping up." She continued, "*It's actually sad because it just shows you have [sic] people really want to hate on women.*"



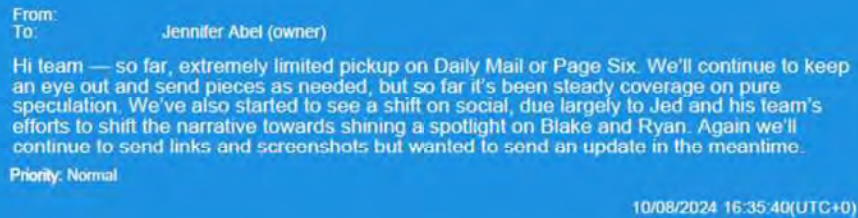
From: Melissa Nathan
To: Jennifer Abel (owner)
And socials are really really ramping up
Priority: Normal
10/08/2024 16:41:23(UTC+0)

[...]



From: Melissa Nathan
To: Jennifer Abel (owner)
It's actually sad because it just shows you have people really want to hate on women
Priority: Normal
10/08/2024 16:41:38(UTC+0)

159. The same day, a member of the TAG team advised of “a shift on social, due largely to Jed and his team’s efforts to shift the narrative towards shining a spotlight on Blake and Ryan.”



From: Jennifer Abel (owner)
To: TAG team
Hi team — so far, extremely limited pickup on Daily Mail or Page Six. We'll continue to keep an eye out and send pieces as needed, but so far it's been steady coverage on pure speculation. We've also started to see a shift on social, due largely to Jed and his team's efforts to shift the narrative towards shining a spotlight on Blake and Ryan. Again we'll continue to send links and screenshots but wanted to send an update in the meantime.
Priority: Normal
10/08/2024 16:35:40(UTC+0)

160. Further, Ms. Nathan and her team at TAG helped generate or otherwise influence the content put forth by various TikTok accountholders.

161. During the same period of time, Ms. Nathan, Ms. Abel, and their teams were “heavily monitoring,” had “friendlies updating” them, and sought to address unflattering commentary regarding Mr. Baldoni, while augmenting the spread of stories that were favorable to Mr. Baldoni.

162. For example, on August 9, 2024, Ms. Abel circulated a screenshot of a post by a woman stating, “Justin, the creator of a show called My Last Days, exploits the struggles of individuals facing terminal illnesses for his own gain. He found my friend, who is battling a serious illness, and followed her life closely. Despite her grace in not speaking ill of him, I sensed from the start that something was deeply wrong. Justin weaponizes therapeutic language, presenting himself as thoughtful and supportive, yet his actions reveal a very different reality. He portrays himself as an ally to women and the vulnerable, but it’s all a façade—he manipulates the vernacular of care to mask his true intentions. In reality, none of the proceeds from the show benefited the individuals he profiled. He even had the audacity to depict her hometown, a vibrant

and affluent community, as a small, impoverished town. His portrayal was not just inaccurate but insulting. Once the show aired, Justin took his profits and vanished, leaving nothing but a sense of exploitation in his wake. His behavior was not just tacky and gross—it was a betrayal of the very people he claimed to uplift.”

163. In response to the article, Ms. Abel stated, “I’m assuming this is not true in the slightest Either way, *we’ve flagged to Jed and his team for more serious action on the social side.*”



164. Similarly, on August 13, 2024, the team discussed ways to use the “digital team” to “amplify []” positive stories about Mr. Baldoni.

165. Likewise, on August 18, 2024, an employee of TAG suggested that they “*chat with Jed*” in response to other allegations made online regarding Mr. Baldoni.



[...]



166. On any occasion, any member of Wayfarer or the social “manipulation” team could text the link to a positive story about Mr. Baldoni, or a negative story about Ms. Lively, and ask that someone “boost” the story to the public, or “engag[e] in the comments” to fuel the desired narrative.

167. On August 18, 2024, Mr. Baldoni circulated a TikTok video in which the poster criticized Ms. Lively for not speaking about domestic violence in press interviews. A member of Ms. Nathan’s team responded that she would “let digital know.”

168. During the same period of time, when media sources inquired about HR complaints that were made on the set of the Film, Ms. Nathan, Ms. Abel, and their teams worked to suppress coverage of these HR complaints.

169. Further, on or around August 14, 2024, media outlets directly inquired about HR complaints made on set because they were “being told there were at least three HR complaints filed against Justin Baldoni on the set of ‘It Ends With Us’” and inquired “if the complaints were investigated and what the results were.”

170. By this time, individuals at TAG, Ms. Nathan, and Ms. Abel were aware of the existence of HR complaints, and sought clarity as to the specific HR complaints at issue in order to better counter them in the press.

From: [REDACTED]
 To: [REDACTED]
 To: Melissa Nathan
 To: Jennifer Abel (owner)
 Hey guys re the tmz thing re the HR complaints — our understanding is that 2 were from Blake and [REDACTED] re the “sexy” comment. Is the additional one from [REDACTED] re the thing with Jamey and her apartment in nyc? Just want to clarify.
 Priority: Normal

14/08/2024 19:02:28(UTC+0)

171. Approximately one minute later, Ms. Abel asserted the “need to position” the claims as “claims that are already out there about the kiss and the weight comment,” referencing earlier public reporting by TMZ on Mr. Baldoni’s “lingering” kiss with Ms. Lively and Mr. Baldoni’s comments regarding Ms. Lively’s weight on set.²⁴

From: Jennifer Abel (owner)
 To: [REDACTED]
 To: Melissa Nathan
 To: [REDACTED]
 To: [REDACTED]
 I think we need to position it as the claims that are already out there about the kiss and the weight comment
 Priority: Normal

14/08/2024 19:03:32(UTC+0)

172. On or around the same date, Ms. Nathan directly engaged with several media platforms, discussing the issue of the HR complaints made against Mr. Baldoni while on the set of the Film.

173. On August 15, 2024, Ms. Nathan texted Ms. Abel that “DM hounded me re[:] HR complaints.” She stated that “DM” is not running any content about it, continuing “Jen, this went so well I am fucking dying[.] I have to call you later in a bit and tell you how this went. It was genius. So okay, *we have the four majors standing down on HR complaint [sic]*. I think

²⁴TMZ, *Blake Lively, Justin Baldoni She Felt Kissing Scene Lingered Too Long ... Feels He Fat-Shamed Her* (Aug. 14, 2024, 7:55 AM), <https://www.t TMZ.com/2024/08/14/blake-lively-justin-baldoni-fat-shamed-it-ends-with-us/>.

we are fine on that bit.”

174. During the same period of time, Ms. Nathan and her team at TAG planted or otherwise were involved in generating or influencing the content publicly put forth on social media, including Reddit and TikTok, as well as online media sources.

175. For example, on August 13, 2024, various text messages were exchanged between Ms. Abel and the journalist Sara Nathan (who, as explained above, is Ms. Nathan’s sister).²⁵ These messages consisted of drafts of a story outlining Ms. Lively’s role in making final cuts to the Film.

176. After Sara Nathan circulated draft language related to Ms. Lively’s involvement in the different cuts of the film, Ms. Abel sent Sara Nathan revisions to the draft, which Sara Nathan offered to “amend.”

177. On the same day, an article authored by Sara Nathan, titled *Blake Lively approved final cut of ‘It Ends with Us’ amid feud with co-star director Justin Baldoni*, was published in *Page Six*, owned by the New York Post.²⁶

178. The article addressed, among other topics, Ms. Lively’s role in approving the final cut of the Film but emphasizes how Ms. Lively “contribut[ed] to almost every aspect of [the Film];” that her husband “wrote one of the most important scenes in the movie;” and that she was “begged” to remove one of her song choices from the Film, despite Mr. Baldoni’s ownership of the “rights to the book via his production company, Wayfarer.”

179. The language contained in the article is almost a verbatim copy of the language exchanged between Sara Nathan and Ms. Abel via text and reflects multiple of Ms.

²⁵ Sara Nathan, *PageSix*, <https://pagesix.com/author/sara-nathan/> (last visited Dec. 31, 2024)

²⁶ Sara Nathan, *Blake Lively approved final cut of ‘It Ends with Us’ amid feud with co-star director Justin Baldoni*, *PageSix* (Aug. 13, 2024, 4:20 PM), <https://pagesix.com/2024/08/13/celebrity-news/blake-lively-approved-final-cut-of-it-ends-with-us-amid-feud/>.

Abel's revisions to Sara Nathan's original proposed draft.

180. TAG publicly shared this article on one or more social media platforms, including Reddit, prompting various negative comments in relation to Ms. Lively and her husband and the narrative that Ms. Lively "steamrolled" or "bulldozed" Mr. Baldoni and the Film "for her own personal gain."²⁷

181. The very same day, Ms. Nathan sent an article from the Daily Mail entitled *"Is Blake Lively set to be CANCELLED? String of 'hard to watch' videos that have surfaced following 'tone deaf' Q&A to promote It Ends With Us could tarnish 36-year-old star's golden Hollywood image for good."*²⁸

182. Ms. Abel stated, "You really outdid yourself with this piece," and Ms. Nathan responded, "That's why you hired me right? I'm the best."

183. Following the August 2024 launch of Ms. Lively's hair care line, Blake Brown, which she spent seven years building, the Instagram account of the brand was flooded by harassing and derogatory comments, including many posted by user accounts that had no followers and no prior posts (suggesting inauthenticity), and which did not relate to the brand's products. To take just one example, one comment posted on the Blake Brown account (by a user that, as of December 19, 2024, shows user metrics indicating 0 posts, 0 followers, and 0 following),

²⁷Somethingfunnynice, Reddit post

[https://www.reddit.com/r/Fauxmoi/comments/1erm7jz/exclusive_blake_lively_approved_final_cut_of_it/?rdt=54494#:~:text=Blake%20Lively%20approved%20the%20final,end%20result%2C%20multiple%20sources%20\(2024\);Fred Steggars, Page Six comment, <https://pagesix.com/2024/08/13/celebrity-news/blake-lively-approved-final-cut-of-it-ends-with-us-amid-feud/> \(Aug. 13, 2024\) \("Sounds like Lively used her power even though he had bought the rights and was the director. And then she pushed him out. It's obvious all the info comes from her camp."\); IFNOTMEWHO, Page Six comment, <https://pagesix.com/2024/08/13/celebrity-news/blake-lively-approved-final-cut-of-it-ends-with-us-amid-feud/> \(Aug. 13, 2024\) \("Kinda sounding like a mean girl behind all the makeup and fake smiles. No longer a fan."\).](https://www.reddit.com/r/Fauxmoi/comments/1erm7jz/exclusive_blake_lively_approved_final_cut_of_it/?rdt=54494#:~:text=Blake%20Lively%20approved%20the%20final,end%20result%2C%20multiple%20sources%20(2024);Fred%20Steggars,Page%20Six%20comment,https://pagesix.com/2024/08/13/celebrity-news/blake-lively-approved-final-cut-of-it-ends-with-us-amid-feud/(Aug.13,2024)(%22Sounds%20like%20Lively%20used%20her%20power%20even%20though%20he%20had%20bought%20the%20rights%20and%20was%20the%20director.%20And%20then%20she%20pushed%20him%20out.%20It%20s%20obvious%20all%20the%20info%20comes%20from%20her%20camp.%22);IFNOTMEWHO,Page%20Six%20comment,https://pagesix.com/2024/08/13/celebrity-news/blake-lively-approved-final-cut-of-it-ends-with-us-amid-feud/(Aug.13,2024)(%22Kinda%20sounding%20like%20a%20mean%20girl%20behind%20all%20the%20makeup%20and%20fake%20smiles.%20No%20longer%20a%20fan.%22).)

²⁸ See Alanah Kholsa & Jo Tweedy, *Is Blake Lively set to be CANCELLED? String of 'hard to watch' videos that have surfaced following 'tone deaf' Q&A to promote It Ends With Us could tarnish 36-year-old star's golden Hollywood image for good*, Daily Mail (Aug. 16, 2024, 7:17), <https://www.dailymail.co.uk/femail/article-13749783/Blake-Lively-cancelled-interview-Ends-film.html>.

commented: “How about you stop paying the media to trash and smear Justin that would be a good start you awful human being.” Another user (also with 0 posts, 0 followers, and 0 following) posted: “We want Justin’s cut of the movie!! He actually care about DV.”²⁹

184. Mr. Baldoni and Mr. Sarowitz, along with Mr. Heath, not only encouraged efforts to target Ms. Lively and her family, but they went as far as to provide input and ideas on ways to negatively influence the narrative against Ms. Lively and her family.

185. For instance, on August 9, 2024—the Film’s release date—after sharing certain negative articles about himself with Ms. Abel, Mr. Baldoni stated, “there’s no way we can just let this go.”

186. Additionally, on August 15, 2024, Mr. Baldoni texted Ms. Nathan and Ms. Abel, stating that his business partner, Mr. Sarowitz, suggested “flipping the narrative” arising from unnamed sources who had made false claims about Mr. Reynolds’ involvement in the script of the Film, and suggested ways to manipulate those rumors to make Mr. Reynolds appear to be anti-feminist. There was no truth to these claims.



[...]

²⁹ See @judy_bees, Blake Brown Beauty Instagram comment, <https://www.instagram.com/p/C-oLDRqNyOI/?igsh=MWJkbGwxbGplOXo3dQ%3D%3D> (Aug. 13, 2024), (“How about you stop paying the media to trash and smear Justin that would be a good start you awful human being.”); @ronn.iejac, Blake Brown Beauty Instagram comment, <https://www.instagram.com/p/C-oLDRqNyOI/?igsh=MWJkbGwxbGplOXo3dQ%3D%3D> (Aug. 13, 2024) (“We want Justin’s cut of the movie!! He actually care about DV.”).

From: Justin Baldoni
To: Melissa Nathan
To: Jennifer Abel (owner)

No worries -
Quickly

My partner Steve asked about flipping the narrative from this leak this am about ryan saying script was a disaster and he saved the movie -

Priority: Normal

15/08/2024 17:58:26(UTC+0)

187. Ms. Nathan assured Mr. Baldoni that “[t]his is an easy flip,” before indicating that she was already working on a story for Variety that would achieve this goal.

188. As of August 16, 2024, Ms. Nathan was continuing to confer with additional reporters to release stories that would cast Ms. Lively and/or Mr. Reynolds in a negative light.

189. Meanwhile, Ms. Lively neither publicly commented nor directed any of her representatives to comment to or engage with the print media, social media, or otherwise about the hostile work environment Mr. Baldoni, Mr. Heath and Wayfarer created. Indeed, throughout the time period discussed herein, Ms. Lively did not provide her publicist with details about the hostile work environment that she, alongside the other cast members and crew, had experienced.

190. Moreover, Ms. Lively expressly instructed her publicist not to engage with press inquiries, including ones regarding the on-set behavior of Mr. Baldoni, Mr. Heath, or Wayfarer.

191. Experiencing the very sudden tidal wave of the increasingly negative public attention building around her, however, Ms. Lively began to suspect that the extraordinarily rapid shift in public sentiment and press coverage that began *immediately after* the rest of the cast and crew attended the world premiere was likely orchestrated by the men about whom she had raised HR complaints.

G. Mr. Baldoni Retaliated Because HR Complaints Regarding His Behavior Threatened His Feminist Brand.

192. On information and belief, Mr. Baldoni was desperate to suppress any suggestion that he engaged in inappropriate conduct, much less sexually harassing conduct, because it would entirely undermine his carefully curated public image as a feminist ally.

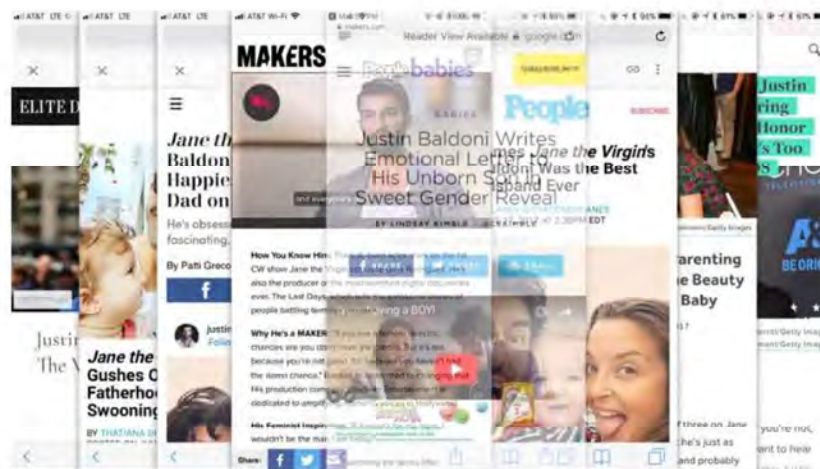
193. In 2017, Mr. Baldoni presented a Ted Talk entitled, “Why I’m Done Trying to be ‘Man Enough.’” Mr. Baldoni challenged men to “be man enough to stand up to other men when [they] hear ‘locker room talk,’ when [they] hear stories of sexual harassment.”³⁰ Mr. Baldoni asked listeners, “will you actually stand up and **do something so that one day we don’t have to live in a world where a woman has to risk everything and come forward** to say the words “me too?”³¹

194. During the TED Talk, Mr. Baldoni displayed numerous screenshots of media coverage of himself, from various sources, as examples of his decision to use his “social platform as a kind of this Trojan horse wherein [he] could create a daily practice of authenticity and vulnerability.” Mr. Baldoni then claimed “[t]he response has been incredible. It’s been affirming, it’s been heartwarming. I get tons of love and press and positive messages daily.”³²

³⁰ Pangambam S, *Justin Baldoni: Why I’m Done Trying to Be “Man Enough” (Transcript)*, The Singju Post (Jan. 16, 2018, 4:45), <https://singjupost.com/justin-baldoni-why-im-done-trying-to-be-man-enough-transcript/?singlepage=1>.

³¹ *Id.* (emphasis added).

³² Justin Baldoni, *Why I’m Done Trying to be “Man Enough,”* TED, at 8:10–8:28 (Nov. 2017), https://www.ted.com/talks/justin_baldoni_why_i_m_done_trying_to_be_man_enough?subtitle=en.



Why I'm done trying to be "man enough"

8,678,912 views | Justin Baldoni | TEDWomen 2017 • November 2017

195. Around the same time of that TED Talk in 2017, Mr. Baldoni announced the launch of a male talk show through his media company, Wayfarer Entertainment, called *Man Enough*. Through that show, Mr. Baldoni sought to have “public conversations on camera that [he] had never seen men have.”³³

196. In one episode of his show, *Man Enough*, Mr. Baldoni hosted a round table with “really strong men,” including Mr. Heath and others, in reaction to the #MeToo movement—to “collectively learn from each other, from experts, and hear firsthand from women and try to figure out how we can be better allies in our responses and in our actions.”³⁴ In the episode, Mr. Baldoni questions the group, “Who at this table has seen something and didn’t say anything . . . I mean objectification, harassment, and then not said anything?”³⁵

³³ Justin Baldoni, *Man Enough: Undefining My Masculinity*, HARPERONE (2021) at 8; see also *Man Enough*, IMDB, <https://www.imdb.com/title/tt7754654/> (last visited Dec. 31, 2024).

³⁴ Jamie Primeau, *Justin Baldoni Knows The Most Important Way For Men To Be Better #MeToo Allies Is To Listen*, Bustle (July 24, 2018), <https://www.bustle.com/p/justin-baldonis-man-enough-features-a-candid-metoo-conversation-about-how-men-can-be-better-allies-9857238>.

³⁵ Man Enough, YouTube, at 12:35 – 12:45 (July 26, 2018), <https://www.youtube.com/watch?v=i21xmCbd8iw&t=1070>.

197. In 2021, the *Man Enough* franchise added a podcast, also produced by Wayfarer Studios.³⁶ The *Man Enough* podcast has featured episodes entitled, “Strength in Unity: Men Supporting Women In Leadership,” “From Misogyny’s Victim To Male Privilege . . .,” and “Modern Dating: Consent, Boundaries And Respect.”³⁷

198. Mr. Baldoni stated in his 2017 TED Talk, men “are the problem” they created the “glass ceiling”,³⁸ and if they want “to be part of the solution, then words are no longer enough.”³⁹ By Mr. Baldoni’s account, he became a “feminist fighting for gender equality . . . so quickly that [he] hadn’t even realized that’s what [he] was or was trying to do.”⁴⁰

199. In Mr. Baldoni’s own words, his “activism” “starts in the mirror, with an audience of one.”⁴¹ Mr. Baldoni has stated that he “feel[s] a deep responsibility” to “tear down the walls” of “power and privilege”⁴² and “believe[s] the world needs men to show up, not in big ways, but in hundreds and thousands of little ways” to “create a better, more equitable, just world.”⁴³

200. Over the past approximately seven years, and as relevant to this Complaint, Mr. Baldoni has made the following statements:

(a) “Let’s just shut up and finally listen to the women in our lives.”⁴⁴

³⁶ Justin Baldoni, Liz Plank, and Jamey Heath, *The Man Enough Podcast Premiere*, YouTube (June 21, 2021), <https://www.youtube.com/watch?v=EFEEem9DEy6w#:~:text=New%20episode%20of%20The%20%23ManEnoughPodcast%20every%20Monday%2C,Premiere%20episode%20with%20Karamo%20Brown%20out%20now.>

³⁷ *Episode Pages*, The Man Enough Podcast <https://manenough.com/podcast/> (last visited Dec. 31, 2024).

³⁸ See Justin Baldoni, *supra* n. 33 at 15:45–15:51. Regarding the “glass ceiling,” in a recent interview, Mr. Baldoni stated that “[d]irecting is a very lonely job” because he was “at the top of the totem pole”—all without acknowledging that Ms. Lively’s cut of *It Ends With Us* was released, not his. See *How to Fail With Elizabeth Day*, Dec. 3, 2024, <https://podcasts.apple.com/gb/podcast/how-to-fail-with-elizabeth-day/id1407451189>.

³⁹ See Justin Baldoni, *supra* n.33 at 15:52–15:55.

⁴⁰ Justin Baldoni, *supra* n.34 at 8.

⁴¹ *Id.* at 24.

⁴² *Id.* at 1.

⁴³ *Id.* at 24.

⁴⁴ *Id.* at 11.

(b) “And then the other thing men are going to have to start doing now is recognizing when they [made women uncomfortable] and didn’t realize it. I think that’s when the other side of the ‘Me Too’ movement is ‘I’m Sorry.’”⁴⁵

(c) “Growing up, how many times did I hear ‘bros before hoes?’ . . . [H]ow demeaning, how sexist . . . We’ve built this system—the opposite of accountability—and now it’s time to figure out how, as men, we can break that system, and it starts with showing what a real man is. A real man is someone that says, ‘Hey man, we’re still friends, but that’s not cool.’”⁴⁶

(d) “Imagine . . . being sexually assaulted, finally coming forward about this traumatic thing that has happened to you . . . and having people acting like *you* were to blame.”⁴⁷

(e) “[I]t’s important for us men to realize how crucial a role bystanders can play in stopping and preventing assault and harassment, how we must be a part of the movement and call for respect and equality for women, act upon that call to action, and continue to perpetuate positive behaviors among ourselves and our communities.”⁴⁸

(f) “Are you confident enough to listen to the women in your life . . . And will you be man enough to stand up to other men when you hear ‘locker room talk’, when you hear stories of sexual harassment?”⁴⁹

(g) “All of us have a situation, or a pattern that we need to end the cycle of.”⁵⁰

⁴⁵ Laurel Pinson, *Jane the Virgin’ Star Justin Baldoni Wants to End Toxic Masculinity: ‘The Glass Ceiling Exists Because Men Put It There*, GLAMOUR (Dec. 4, 2017), <https://www.glamour.com/story/jane-the-virgin-star-justin-baldoni-wants-to-end-toxic-masculinity>.

⁴⁶ *Id.*

⁴⁷ Justin Baldoni, *Boys Will Be Human: A Get-Real Gut-Check Guide to Becoming the Strongest, Kindest, Bravest Person You Can Be*, HARPERCOLLINS (2022) at 242–43.

⁴⁸ Leah Fessler, *Actor Justin Baldoni has crucial advice for men who’ve offended women, but still want to be feminists*, Quartz (Oct. 30, 2018), <https://qz.com/work/1408444/hww4-justin-baldoni>.

⁴⁹ Dressember, *A TEDTALK REVIEW OF JUSTIN BALDONI’S ‘WHY I’M DONE TRYING TO BE MAN ENOUGH’*, (2017) <https://www.dressember.org/blog/justinbaldonitalk>.

⁵⁰ *Justin Baldoni Talks “It Ends with Us” movie adaptation*, CBS Mornings, (Aug. 7, 2024), <https://www.cbsnews.com/video/justin-baldoni-talks-it-ends-with-us-movie-adaptation/>.

(h) “First of all, I want men to stop asking the question, why do women stay. I want men to take accountability. I want men to hold other men accountable.”⁵¹

(i) “[T]here’s never an excuse, no matter how much trauma a man has, there is never an excuse to lay hands and hurt a woman, physically or emotionally. And we have to also understand that the majority of domestic violence isn’t physical, these are, the scars are invisible, these are things that, you know it’s emotional, it’s gaslighting, it’s all of the various things that so many people experience.”⁵²

(j) “I think we judge enough women and victims . . . but the real question is, why do we keep allowing men to harm . . .”⁵³

201. In sum, Mr. Baldoni has crafted a public image of himself as not just an ally, but also a fierce advocate for women. Contrary to this image, as set forth in detail above, Mr. Baldoni has spent the last several months and significant resources on his goal of wanting to “bury” and “destroy” Ms. Lively for raising concerns about his and his CEO’s harassing behavior and other disturbing conduct.

H. Ms. Lively, Her Family, and Her Businesses Have Suffered and Have Been Substantially Harmed By the Wayfarer Parties’ Conduct.

202. While there was considerable online coverage of the Film and Ms. Lively leading up to the Film’s nationwide release in U.S. theaters on August 9, 2024, that coverage was mostly neutral. Some online discussions referenced an apparent “feud” between the cast members, but they included a smaller percentage of negative and positive mentions.

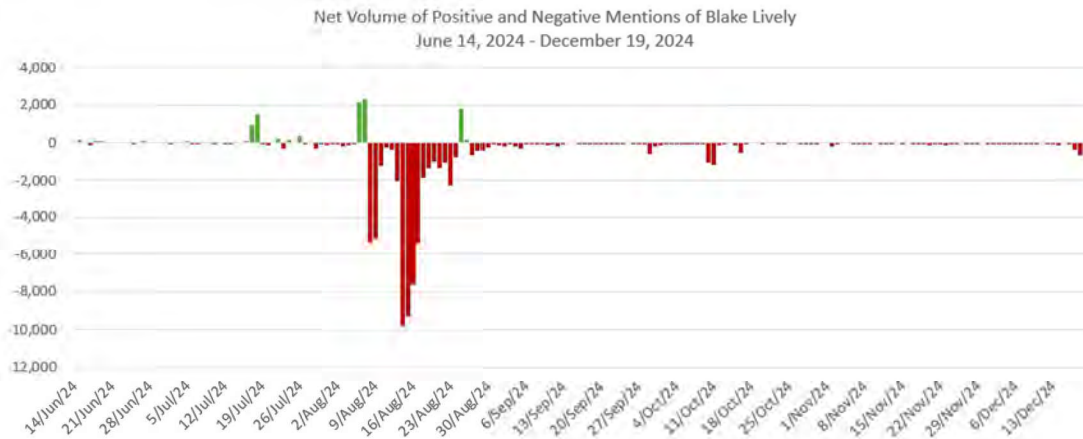
203. Soon, however, Ms. Lively and her team became aware of an increase in negative media articles and social media coverage about her.

⁵¹ *Id.*

⁵² *Justin Baldoni Reflects On Experience Of Directing & Acting In ‘It Ends With Us’*, AccessDaily via AccessHollywood (Dec. 5, 2024) <https://www.accessonline.com/videos/justin-baldoni-reflects-on-experience-of-directing-acting-in-it-ends-with-us>.

⁵³ *Id.*

204. The significant spike in the volume of negative sentiment toward Ms. Lively included notable spikes on approximately August 8 and 14, 2024, and continued to trend mostly negative for the remainder of 2024.



205. Indeed, as noted above, TAG itself noted a shift due to their efforts as early as August 10, 2024.

206. As of that date, the sentiment towards Ms. Lively turned toxic, with a sudden increase in negative comments—including hypersexual content and calls for Ms. Lively to “go fuck” herself.⁵⁴

⁵⁴ @pocketsara, X post, <https://x.com/pocketsara/status/1824146308707291152>, (Aug. 15, 2024) (“Blake Lively is a cunt”) @imtotallynotmo1, X, Aug. 15, 2024 (“You’re a piece of shit, genuinely go fuck yourself”); FluffyPinkUnicornVII, Reddit post, https://www.reddit.com/r/DListedCommunity/comments/1escnuy/blake_lively_getting_criticized_over_press_tour/, (Aug. 14, 2024) (“Bottled blonde + long legs + fake tits - (brains, judgement, & humility) = Blake Lively”); KettlebellFetish, Reddit post, https://www.reddit.com/r/DListedCommunity/comments/1escnuy/blake_lively_getting_criticized_over_press_tour/, (Aug. 14, 2024) (“Even with the nose job, she's such a butterface, great body, hair, but odd face and that body would be so easy to dress, just a dream body, and nothing fits right, odd clashing colors, just tacky.”); Creative_Ad9660, Reddit post, https://www.reddit.com/r/DListedCommunity/comments/1escnuy/blake_lively_getting_criticized_over_press_tour/, (Aug. 15, 2024) (“Boobs Legsly”); @chick36351, X post, (Aug. 16, 2024) (“Well Blake I a bitch.. She always has been, nice to see people realize it now... Also WAY too much plastic surgery..”); @Martin275227838, X post, <https://x.com/LizCrokin/status/1824618500431724917>, (Aug. 17, 2024) (“@blakelively is a pedophile supporting bully . . .”); @ZuperGoose, X post, (Aug. 17, 2024) (“Liz tag the bitch @blakelively Blake = pedo”); @myopinionmyfact, X post, (Aug. 22, 2024) (“... @blakelively YOU ARE SUCH A BITCH! What a horrible rude bitch you are. I cannot believe somebody fucked u, made a kid with u, married u and now has to be stuck with your bitch ass. OMG LMAO I would run!”).

207. Nearly decade-old interviews of Ms. Lively were surfaced, commenting on her tone, posture, diction, and language.⁵⁵

208. Ms. Lively was criticized for how she was marketing the Film, repeatedly called a “bully,” a “mean girl,” and “controlling,” and was criticized for allegedly marginalizing Mr. Baldoni, among many other things.⁵⁶

209. Articles—which members of the TAG and Jonesworks teams working on behalf of Mr. Baldoni and Wayfarer credited themselves with influencing—dissected Ms. Lively and contemplated her “cancellation.”⁵⁷

⁵⁵ Beth Shilliday, *Blake Lively Taking a Social Media Break After Being Labeled a ‘Mean Girl’ Amid ‘It Ends With Us’ Backlash*, Yahoo Entertainment (Sept. 5, 2024, 8:04) <https://www.yahoo.com/entertainment/blake-lively-taking-social-media-120424507.html> (discussing 2016 interview of Blake Lively by Kjersti Flaa in which B. Lively “snarked” at Ms. Flaa); Francesca Bacardi, *Page Six, Blake Lively once snapped at reporter for asking about Penn Badgley romance: ‘I thought you were supposed to be classy’* (Aug. 19, 2024, 12:02) <https://pagesix.com/2024/08/19/entertainment/blake-lively-snapped-at-reporter-for-asking-about-penn-badgley/> (referring to 2008 interview); Gabi Duncan, *Blake Lively called out again for repeatedly using ‘problematic’ transgender slur in resurfaced interviews, Page Six*, (Aug. 18, 2024, 10:27) <https://pagesix.com/2024/08/18/entertainment/blake-lively-called-out-for-repeatedly-using-transgender-slur/> (discussing 2012 interview); Marina Urman, *Blake Lively Under Fire Again For Using Transgender Slur In Multiple Resurfaced Interviews*, BoredPanda, (Aug. 19, 2024, 7:21) <https://www.aol.com/blake-lively-under-fire-again-142116217.html> (discussing 2008, 2012, 2009, and 2016 interviews).

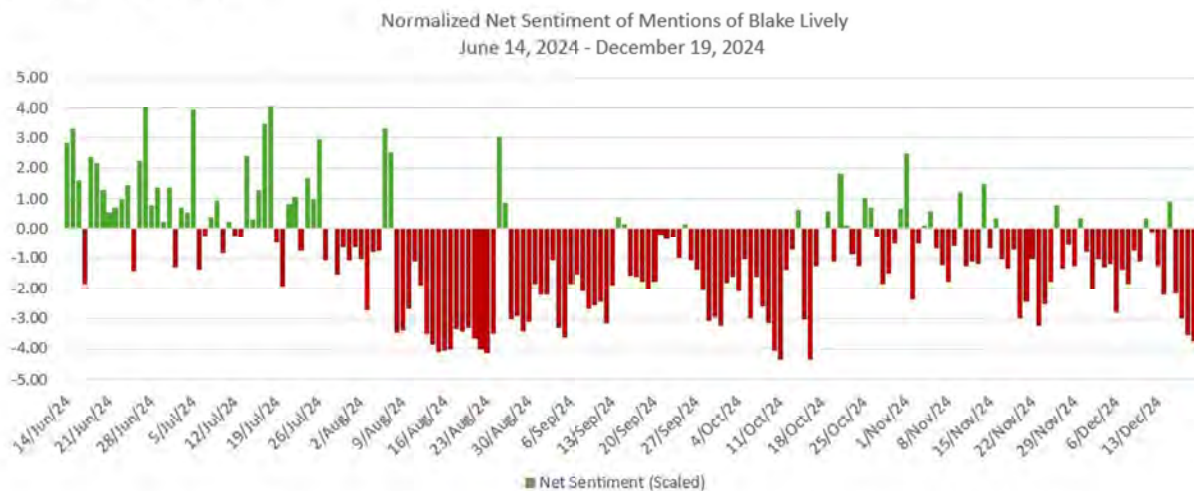
⁵⁶ Jessica Green and Alanah Khosla, *How Blake Lively keeps getting it wrong: Ryan Reynolds’ wife is criticised for glossing over domestic violence during press for It Ends With Us amid ‘rift’ with director - and it’s just the latest in a string of controversies for the star*, Dailymail.com (Aug. 15, 2024), <https://www.dailymail.co.uk/femail/article-13742675/How-Blake-Lively-keeps-getting-wrong-slammed-glossing-domestic-violence-Ends-Us.html>; Perez Hilton, *Blake Lively Was ‘Effortlessly Rude’ On It Ends With Us Set, Says Insider, But Justin Baldoni Was Problematic Too!* (Aug. 19, 2024) <https://perez Hilton.com/blake-lively-effortlessly-rude-it-ends-with-us-set-justin-baldoni-problematic/> (“I got this impression from Justin that he was just really, really stressed and fatigued about this constant inability to control the project he was making... so much so that when you’d ask him questions, he’d be like, ‘Well just ask Blake’... because when Blake got there she would have a lot of really strong thoughts and feelings.”); Riley Cardoza, *Jana Kramer reacts to Blake Lively’s domestic violence comments, insists ‘it does define you’*, Page Six, (Aug. 26, 2024) <https://pagesix.com/2024/08/26/celebrity-news/jana-kramer-reacts-to-blake-livelys-dv-comments-it-does-define-you/> (“Lively, notably, has been slammed by social media users for marketing her Blake Brown haircare and Betty Buzz alcohol brand while promoting the movie.”); Kirsty McCormack, *Meghan McCain slams ‘insensitive’ and ‘strange’ Blake Lively over It Ends With Us controversy: ‘I don’t understand why she’s famous’*, DailyMail.com, (Aug. 22, 2024, 11:57) <https://www.dailymail.co.uk/femail/article-13769327/meghan-mccain-slams-blake-lively-strange-insensitive-ends-drama.html>; Giovana Gelhorn, *Blake Lively & Justin Baldoni’s Reported On-Set Clash Shows How Their Feud Really Began*, SHEKNOWS (Aug. 15, 2024, 11:55) <https://www.sheknows.com/entertainment/articles/3082123/blake-lively-justin-baldoni-feud-beginnings/> (“[Lively] wasn’t engaged in the filming process and wanted to get out of shooting the moment she could.”); Laura Collins, *The REAL reason why Blake Lively and Justin Baldoni’s It Ends With Us feud has upended plans for sequel*, DailyMail.com, (Aug. 22, 2024) <https://www.dailymail.co.uk/tvshowbiz/article-13766111/Blake-Lively-Justin-Baldoni-feud-upends-sequel.html>.

⁵⁷ See also Alanah Kholsa & Jo Tweedy, *supra* n. 32.

210. On information and belief, the Wayfarer team seeded social media content into publications with small audiences and lax editorial standards, and then fed those posts and/or articles to publications like *Page Six*, *Newsweek*, *NY Post*, *TMZ*, and *BuzzFeed*. These publications have larger audiences and greater reach, which significantly amplified the negative sentiment toward Ms. Lively. Content from low-influence sites was often linked or referenced in articles on these high-influence platforms.

211. The “social manipulation” campaign engineered by Mr. Baldoni and Wayfarer helped create and sustain a negative news cycle and social media algorithm around Ms. Lively.

212. The online narrative continues to trend more negatively when compared with other weeks and months prior to the social manipulation campaign, as reflected in the sentiment chart dating from the publicity event on June 13, 2024 through the date the CRD Complaint was filed:



213. This was precisely the effect that the Baldoni-Wayfarer team hoped to achieve—they manipulated the social conversation to discredit and “bury” Ms. Lively in retaliation for reporting her concerns about harassing and unsafe conduct during the production

of the Film, and in the hopes of deterring Ms. Lively from potentially taking those same concerns public. This campaign has been devastating to Ms. Lively, including by causing substantial harm to Ms. Lively, her family, as well as her businesses and all the people who work at each of them. Unlike Wayfarer and Mr. Baldoni, Ms. Lively has been precluded from not only experiencing the success of the Film, but also from having the ability to engage further with her businesses, fans, and social media followers without immediately triggering an onslaught of hateful comments. Instead, Ms. Lively and her family have been forced to contend with a wide-reaching negative media campaign.

214. When it became clear that this media blitz was the result of an *intentionally seeded, cultivated and financed campaign against her*, Ms. Lively began to experience mental, physical, professional, and financial harms that continue to the present.

215. The effects on Ms. Lively's professional life were immediate and substantial. Given the ongoing nature of the campaign and the associated negative public sentiment, Ms. Lively did not believe she could proceed with public appearances or events without being forced to openly discuss what happened on set. For example, Ms. Lively cancelled a critical Target corporate event for her haircare company, and she backed out of her scheduled role to host the premier episode of the 50th anniversary season of Saturday Night Live in September 2024.

216. The retaliation campaign against Ms. Lively has also damaged her companies. The long-planned launch of her haircare line, Blake Brown—a date which was set more than a year prior to the date selected (not by Ms. Lively) for the release of the Film—was caught up in the crossfires of the negative environment against Ms. Lively. Initially, before the “social manipulation” campaign started, Ms. Lively was informed that Blake Brown was Target's

largest haircare launch on record. Based on internal sales projections, the sudden and unexpected negative media campaign launched against Ms. Lively depressed retail sales of Blake Brown products by 56%–78%. This dramatic drop was completely at odds with the high satisfaction scores that Blake Brown products received in the significant consumer testing performed before launch or its initial success after launch.

217. Around the same time, the social media accounts for Ms. Lively’s brands—including Betty Buzz and Betty Booze—were flooded by hateful comments, which began to echo through other social and traditional media outlets. On information and belief, the astroturfing campaign was responsible for this wave of comments. None of Ms. Lively’s businesses could operate as they ordinarily had before; instead, the Baldoni-Wayfarer astroturfing campaign forced each of Ms. Lively’s businesses to go “dark” on social media in August. Ms. Lively did the same, for nearly two months, and during this time was unable to market or promote any of her businesses, all of which rely on her support, causing issues with many business partners and customers. Moreover, when Ms. Lively limited comments on her personal Instagram account to limit the toxic harassment she was receiving, those users simply migrated to the social media accounts and websites of Blake Brown, Betty Buzz, and Betty Booze.⁵⁸ Many of the negative comments on these businesses’ social media accounts and websites had nothing to do with the products or brands, but instead referenced the Film, Mr. Baldoni, and/or Ms. Lively as a “bully” or “mean girl.”

⁵⁸ Therese AK, TikTok, <https://vm.tiktok.com/ZGeTkjarm/> (Aug. 26, 2024) (“Well now I know what NOT to buy, thank you.”); @catherinaartdesign, Blake Brown Beauty Instagram comment, (Aug. 30, 2024) (“Be ashamed! A great opportunity was missed to share a great message through the film where it would have made a big difference in many lives. Now remember ‘she will make up a story where she is the victim so that others feel empathy for her’”); @santerialily, Blake Brown Instagram comment, (Aug. 26, 2024) (“Nobody is going to buy this crap now. Good job in ruining your brand before it even started. Nasty mean girls never prosper.”); @hollingsworth1830, Blake Brown Instagram comment, (Sept. 5, 2024) (“Ah, no thanks. Why would anyone buy your beauty products? More overpriced junk by a vapid and narcissitic [*sic*] celebrity. I would rather spend my money with someone who can actually care about women. Take this crap and your florals and sit on it.”).

218. The emotional impact on Ms. Lively has been extreme, not only affecting her, but her family, including her husband and four children. There are days when she has struggled to get out of bed, and she frequently chooses not to venture outside in public. While she has fought to maintain her personal life and business interests, behind closed doors she has suffered from grief, fear, trauma, and extreme anxiety. She also has been experiencing repeated and painful physical symptoms as a result of this experience. Mr. Reynolds, too, has been affected mentally, physically, and professionally by his wife's and children's pain. Worst of all, however, has been the impact on their young children, who have been traumatized and emotionally uprooted in ways that have substantially impacted their well-being.

219. These are but a few examples of the substantial harm caused by this malicious campaign, which pervaded, and continues to pervade, all aspects of Ms. Lively's life. Ms. Lively never sought out conflict with Wayfarer, Ms. Baldoni, or Mr. Heath, but instead consistently attempted to speak up for a safe and respectful workplace privately in the hopes of protecting herself, as well as the cast and crew, without jeopardizing a Film that she believed could make a difference in peoples' lives. In response, Mr. Baldoni, Mr. Heath, and those working for them, sought to destroy Ms. Lively and anyone else who knew the truth. Ms. Lively's discovery of the full extent of the retaliatory campaign launched by the Wayfarer parties and their associates, left her with no choice.

220. Ms. Lively exhausted jurisdictional prerequisites to filing this lawsuit including by timely filing a complaint regarding the behaviors identified herein with the California Civil Rights Department ("CRD").

221. On information and belief, after receiving such notice of the CRD Complaint, Wayfarer, Mr. Baldoni, Mr. Heath and their associates have continued their campaign against Ms. Lively, in further retaliation for her speaking up about their misconduct.

222. Through the CRD Complaint and this action, Ms. Lively seeks to set the record straight, to hold the Wayfarer parties and associates accountable, and to shine a light on this new form of retaliation so that it will not be used against any others who seek to stand up and speak out against sexual harassment.

FIRST CAUSE OF ACTION

(Sexual Harassment in Violation of Title VII – 42 U.S.C. § 2000e-2(a)(1))

Against It Ends With Us Movie LLC and Wayfarer

223. Ms. Lively hereby repeats, reiterates, re-alleges and incorporates by reference each and every allegation of the Complaint as if fully set forth fully herein.

224. At all times herein mentioned, Ms. Lively was an employee under Title VII, 42 U.S.C. § 2000e(f) and It Ends With Us Movie LLC and Wayfarer were employers and/or joint employers under 42 U.S.C. § 2000e(b).

225. At all times herein mentioned, Title VII was in full force and effect and was fully binding upon Defendants It Ends With Us Movie LLC and Wayfarer as employers or joint employers, and applicable to Ms. Lively as member of a group protected by Title VII prohibition against discrimination and harassment.

226. Ms. Lively's sex and gender constitute a protected class under Title VII.

227. In engaging in the conduct described in this complaint, Defendants It Ends With Us Movie LLC and Wayfarer, through Defendants Baldoni and Heath, discriminated against Ms. Lively in violation of Title VII by subjecting Ms. Lively to harassment and creating a hostile work environment on the basis of her sex/gender. *See* ¶¶ 42–67.

228. The behavior of Defendants Baldoni and Heath, as described in this Complaint, was severe or pervasive, such that it created a work environment that a reasonable person would perceive, and that Ms. Lively did perceive, to be hostile, intimidating, offensive, oppressive, and/or abusive.

229. Defendants It Ends With Us Movie LLC and Wayfarer, through Defendants Baldoni and Heath, perpetuated this environment by failing to create a workplace in which individuals felt comfortable raising concerns regarding harassing and other inappropriate behavior on set, including in Wayfarer's failure to provide Ms. Lively with an employee handbook, sexual harassment policy, information or any training on sexual harassment, discrimination or respectful workplace expectations, as well as information about the process for filing HR complaints, and comments by Defendants Baldoni and Heath undermining HR concerns. *See* ¶¶ 68–79.

230. The conduct by Defendants Baldoni and Heath, including but not limited to the conduct described in paragraphs 42– 67, above, is in direct violation of Title VII of the Civil Rights Act of 1964, as amended, for which Defendants It Ends With Us Movie LLC and Wayfarer are liable.

231. These actions severely impacted Ms. Lively's physical, psychological, and emotional well-being by creating an intimidating, hostile and offensive working environment, as it would have for any reasonable person, and so altered the terms and conditions of Ms. Lively's employment such that it was more difficult for Ms. Lively to perform her job.

232. Defendants It Ends With Us Movie LLC and Wayfarer are liable because Defendants Baldoni and Heath, co-own and operate Wayfarer, the sole member of It Ends With Us Movie LLC; personally committed the harassing conduct; and were therefore aware of their

own conduct, and failed to take immediate and appropriate corrective action. Further, Defendants Wayfarer and It Ends With Us Movie LLC are strictly liable for the actions of Defendants Baldoni and Heath, who were acting in their capacities as Ms. Lively's supervisors.

233. Harassing and retaliatory conduct against harassed Ms. Lively continued in various forms throughout 2024 and, on information and belief, is continuing, including a coordinated campaign to cast Ms. Lively in a false light, to discredit her in the event that she publicly disclosed her concerns about harassment and other unlawful conduct, and to irreparably damage Ms. Lively's career and future earning capabilities. *See* ¶¶ 115–191, 221.

234. As a direct, foreseeable, and proximate result of this unlawful discriminatory conduct by Defendants It Ends With Us Movie LLC and Wayfarer, Ms. Lively has suffered, and continues to suffer, substantial damages including, but not limited to, severe emotional distress and pain, humiliation, embarrassment, belittlement, frustration, and mental anguish, and is entitled to an award of punitive damages, in an amount to be determined at trial.

235. The conduct described herein by Defendants It Ends With Us Movie LLC and Wayfarer, through Defendants Baldoni and Heath, was a motivating factor in causing and caused Ms. Lively's harm.

236. Defendants It Ends With Us Movie LLC and Wayfarer intentionally violated Ms. Lively's rights under Title VII, with malice or reckless indifference, and as a result, are liable for punitive damages.

SECOND CAUSE OF ACTION

(Retaliation in Violation of Title VII – 42 U.S.C. § 2000e-3)

Against It Ends With Us Movie LLC and Wayfarer

237. Ms. Lively hereby repeats, reiterates, re-alleges and incorporates by reference each and every allegation of the Complaint as if fully set forth fully herein.

238. At all times herein mentioned, Ms. Lively was an employee under Title VII, 42 U.S.C. § 2000e(f) and It Ends With Us Movie LLC and Wayfarer were employers and/or joint employers under 42 U.S.C. § 2000e(b).

239. At all times herein mentioned, Title VII was in full force and effect and was fully binding upon Defendants It Ends With Us Movie LLC and Wayfarer as employers or joint employers, and applicable to Ms. Lively as member of a group protected by Title VII prohibition against retaliation.

240. Specifically, pursuant to 42 U.S.C. § 2000e-3(a), it is an unlawful employment practice for an employer to discriminate against an employee because she has opposed any practices forbidden under Title VII or because she has filed a complaint against conduct prohibited under Title VII, as Ms. Lively did when she complained to Wayfarer, Mr. Baldoni, and Mr. Heath about harassing and other unlawful conduct based on sex which occurred throughout the Film's production.

241. Ms. Lively engaged in protected activity by complaining to Wayfarer, Mr. Baldoni, and Mr. Heath about harassing treatment based on sex and other unlawful conduct on multiple occasions during the filming and production of the Film, which Ms. Lively reasonably believed to be unlawful. *See* ¶¶ 68–79.

242. After Ms. Lively engaged in such protected activity, Defendants subjected Ms. Lively to adverse employment action, including but not limited to by launching a coordinated campaign to cast Ms. Lively in a false light during the publicity and promotion of the Film and thereafter. *See* ¶¶ 106–191. Ms. Lively's protected activity was the motivating reason for and "but for" cause of Defendants' conduct. This harassing and retaliatory conduct continued in various forms throughout 2024, and, on information and belief, is continuing, in order to discredit

her in the event that she publicly disclosed her concerns about harassment and other unlawful conduct, and to irreparably damage Ms. Lively's career and future earning capabilities.

243. As a direct, foreseeable, and proximate result of the unlawful retaliatory actions undertaken by Defendants It Ends With Us Movie LLC and Wayfarer, through the actions of Defendants Baldoni, Heath, and Sarowitz and their associates, Ms. Lively has suffered, and continues to suffer substantial damages including, but not limited to, severe emotional distress and pain, humiliation, embarrassment, belittlement, frustration, and mental anguish, and is entitled to an award of punitive damages, in an amount to be determined at trial.

244. Defendants It Ends With Us Movie LLC and Wayfarer intentionally violated Ms. Lively's rights under Title VII, with malice or reckless indifference, and as a result, are liable for punitive damages.

THIRD CAUSE OF ACTION

(Sexual Harassment in Violation of FEHA – Cal. Gov. Code, § 12940)

Against It Ends With Us Movie LLC, Wayfarer, Baldoni, and Heath

245. Ms. Lively repeats, reiterates, re-alleges and incorporates by reference each and every allegation of the Complaint as if fully set forth fully herein.

246. At all times herein mentioned, Ms. Lively was employed by and/or providing services pursuant to a contract with Defendants It Ends With Us Movie LLC, and its managing member, Wayfarer.

247. At all times herein mentioned, California's Fair Employment and Housing Act ("FEHA"), Cal. Government Code § 12940 *et seq.*, was in full force and effect and fully binding upon Defendants It Ends With Us Movie LLC, Wayfarer, Baldoni and Heath as employers, joint employers, or supervisors. Ms. Lively was a member of a group protected by FEHA's prohibition against harassment based on sex/gender.

248. Defendants It Ends With Us Movie LLC, Wayfarer, Baldoni and Heath have discriminated against Ms. Lively on the basis of her sex/gender, through the actions of Defendants Baldoni and Heath, in violation of FEHA by subjecting Ms. Lively to harassment and creating a hostile work environment on the basis of her sex/gender. *See* ¶¶ 42–67.

249. Such harassing conduct, as described in this Complaint, was severe or pervasive, such that it created a work environment that a reasonable person would perceive, and that Ms. Lively did perceive, to be hostile, intimidating, offensive, oppressive, and/or abusive. Defendants' conduct so altered the working conditions of Ms. Lively, such that it was more difficult for Ms. Lively to perform her job, as it would have for any reasonable person.

250. Defendants It Ends With Us Movie LLC and Wayfarer are liable because Defendants Baldoni and Heath, co-own and operate Wayfarer, the sole member of It Ends With Us Movie LLC; personally committed the harassing conduct; and were therefore Wayfarer and It Ends With Us Movie LLC knew or should have known of the conduct, and failed to take immediate and appropriate corrective action. Further, Wayfarer and It Ends With Us Movie LLC are strictly liable for the actions of Defendants Baldoni and Heath, who were acting in their capacities as Ms. Lively's supervisors. *See* ¶¶ 68–79.

251. Defendants' unlawful conduct was a substantial factor in causing Ms. Lively to suffer and continue to suffer substantial losses in earnings, equity, and other employment benefits and has incurred other economic losses. *See* ¶¶ 202–219.

252. Defendants' unlawful conduct was also a substantial factor in causing Ms. Lively to suffer emotional distress, shame, and embarrassment all to Ms. Lively's damage in an amount to be proven at time of trial. *See* ¶¶ 202–219.

253. Defendants committed the acts herein despicably, maliciously, fraudulently, and oppressively, with the wrongful intention of injuring Ms. Lively, and from an improper and evil motive amounting to malice, and in conscious disregard of the rights or safety of Ms. Lively and others. Ms. Lively is thus entitled to recover punitive damages from Defendants in an amount according to proof.

FOURTH CAUSE OF ACTION
(Retaliation in Violation of FEHA – Cal. Gov. Code, § 12940)
Against It Ends With Us Movie LLC and Wayfarer

254. Ms. Lively hereby repeats, reiterates, re-alleges and incorporates by reference each and every allegation of the Complaint as if fully set forth fully herein.

255. At all times herein mentioned, Ms. Lively was employed by and/or providing services pursuant to a contract with Defendants It Ends With Us Movie LLC, and its managing member, Wayfarer.

256. At all times herein mentioned, FEHA was in full force and effect and was fully binding upon Defendants It Ends With Us Movie LLC and Wayfarer as employers or joint employers, and applicable to Ms. Lively as member of a group protected by FEHA's prohibition against retaliation.

257. Specifically, pursuant to § 12940(h) it is an unlawful employment practice for an employer to discriminate against any person because that person has opposed any practices forbidden under FEHA or because the person has filed a complaint against conduct prohibited under FEHA, as Ms. Lively did when she complained to Wayfarer, Mr. Baldoni, and Mr. Heath about harassing and other unlawful conduct based on sex which occurred throughout the Film's production.

258. Ms. Lively engaged in protected activity by complaining to Wayfarer, Mr. Baldoni, and Mr. Heath about harassing treatment based on sex and other unlawful conduct on multiple occasions during the filming and production of the Film, which Ms. Lively reasonably believed to be unlawful. *See* ¶¶ 68–79.

259. After Ms. Lively engaged in such protected activity, Defendants subjected Ms. Lively to an adverse employment action, including but not limited to by launching a coordinated campaign to cast Ms. Lively in a false light during the publicity and promotion of the Film and thereafter. *See* ¶¶ 115–191, 221. Ms. Lively’s protected activity was a substantial motivating reason for Defendants’ conduct.

260. As a direct, foreseeable, and proximate result of the unlawful retaliatory actions undertaken by Defendants It Ends With Us Movie LLC and Wayfarer, through the actions of Defendants Baldoni, Heath, and Sarowitz, Ms. Lively has suffered, and continues to suffer substantial damages including, but not limited to, severe emotional distress and pain, humiliation, embarrassment, belittlement, frustration, and mental anguish, in an amount to be determined at trial. *See* ¶¶ 202–219.

261. Defendants It Ends With Us Movie LLC and Wayfarer committed the acts described herein maliciously, fraudulently, and oppressively, with the wrongful intention of harming Ms. Lively, in violation of Ms. Lively’s rights under FEHA, and acted in a manner warranting punitive damages pursuant to California Civil Code § 3294.

FIFTH CAUSE OF ACTION

(Retaliation in Violation of the California Labor Code – Cal. Labor Code, § 1102.5)

Against It Ends With Us Movie LLC and Wayfarer

262. Ms. Lively hereby repeats, reiterates, re-alleges and incorporates by reference each and every allegation of the Complaint as if fully set forth fully herein.

263. At all times herein mentioned, California Labor Code § 1102.5 was in full force and effect and fully binding upon It Ends With Us Movie LLC and Wayfarer as employers or joint employers of Ms. Lively.

264. Pursuant to California Labor Code § 1102.5(b) an employer or any person acting on behalf of an employer, shall not retaliate against an employee for disclosing information to a person with authority over the employee or who has the authority to investigate, discover, or correct a violation of law. Section 1102.5(d) additionally prohibits an employer or any person acting on behalf of an employer to retaliate against an employee for having exercised their rights under § 1102.5(b), as Ms. Lively did when she complained to Wayfarer, Mr. Baldoni, and Mr. Heath about harassing and other unlawful conduct based on sex which occurred throughout the Film's production.

265. Ms. Lively engaged in protected activity by complaining to Wayfarer, Mr. Baldoni, and Mr. Heath about harassing treatment based on sex and other unlawful conduct on multiple occasions during the filming and production of the Film, which Ms. Lively reasonably believed to be unlawful. *See* ¶¶ 68–79.

266. After Ms. Lively engaged in such protected activity, Defendants subjected Ms. Lively to adverse employment action by launching a coordinated campaign to cast Ms. Lively in a false light during the publicity and promotion of the Film, to discredit her in the event that she publicly disclosed her concerns about harassment and other unlawful conduct, and to irreparably damage Ms. Lively's career and future earning capabilities in direct retaliation for Ms. Lively's participation in protected activity. *See* ¶¶ 115–191, 221.

267. The unlawful retaliatory actions perpetrated by Defendants It Ends With Us Movie LLC and Wayfarer, through the actions of Defendants Baldoni, Heath, and Sarowitz, was

a substantial factor in causing Ms. Lively to suffer, and continue to suffer substantial damages including, but not limited to, severe emotional distress and pain, humiliation, embarrassment, belittlement, frustration, and mental anguish, in an amount to be determined at trial. *See* ¶¶ 202–219.

268. Defendants It Ends With Us Movie LLC and Wayfarer committed the acts described herein maliciously, fraudulently, and oppressively, with the wrongful intention of harming Ms. Lively, in violation of Ms. Lively’s rights under California Labor Code § 1102.5, and in a manner warranting punitive damages pursuant to California Civil Code § 3294.

SIXTH CAUSE OF ACTION

(Failure to Investigate, Prevent, and/or Remedy Harassment in Violation of FEHA – Cal. Gov. Code., § 12940)

Against It Ends With Us Movie LLC and Wayfarer

269. Ms. Lively hereby repeats, reiterates, re-alleges and incorporates by reference each and every allegation of the Complaint as if fully set forth fully herein.

270. At all times herein mentioned, Ms. Lively was employed by and/or providing services pursuant to a contract with Defendants It Ends With Us Movie LLC, and its managing member, Wayfarer.

271. At all times herein mentioned, FEHA was in full force and effect and was fully binding upon It Ends With Us Movie LLC and Wayfarer as employers or joint employers of Ms. Lively.

272. Specifically, §§ 12940(j)-(k) require employers to take all reasonable steps to prevent harassment and makes it an unlawful employment practice for an employer to fail to take all reasonable steps necessary to prevent harassment from occurring.

273. Ms. Lively was subjected to harassing and other unlawful conduct based on sex which occurred throughout the Film’s production. *See* ¶¶ 42–67. Ms. Lively complained to

Wayfarer, Mr. Baldoni, and Mr. Heath about the conduct she experienced, but Wayfarer failed to take all reasonable steps to prevent the sex-based harassment and retaliation suffered by Ms. Lively. *See* ¶¶ 68–79, 115–191, 221.

274. Defendants It Ends With Us Movie LLC and Wayfarer’s failure to take all reasonable steps to prevent the unlawful harassment and retaliatory actions perpetrated by their co-Defendants, was a substantial factor in causing Ms. Lively to suffer, and continue to suffer substantial damages including, but not limited to, severe emotional distress and pain, humiliation, embarrassment, belittlement, frustration, and mental anguish, in an amount to be determined at trial. *See* ¶¶ 202–219.

275. Defendants It Ends With Us Movie LLC and Wayfarer committed the acts described herein maliciously, fraudulently, and oppressively, with the wrongful intention of harming Ms. Lively, in violation of Ms. Lively’s rights under FEHA and in a manner warranting punitive damages pursuant to California Civil Code § 3294.

SEVENTH CAUSE OF ACTION

(Aiding and Abetting Harassment and Retaliation in Violation of the FEHA – Cal. Gov. Code, § 12940(i))
Against Nathan, TAG, and Abel

276. Ms. Lively hereby repeats, reiterates, re-alleges and incorporates by reference each and every allegation of the Complaint as if fully set forth fully herein.

277. At all times herein mentioned, Ms. Lively was employed by and/or providing services pursuant to a contract with Defendants It Ends With Us Movie LLC, and its managing member, Wayfarer.

278. At all times herein mentioned, California’s Fair Employment and Housing Act (“FEHA”), Cal. Gov’t Code §§ 12900, *et seq.*, was in full force and effect and was fully

binding upon the relevant Defendants. Specifically, § 12940(i) makes it unlawful for any person “to aid, abet, incite, compel, or coerce the doing of any of the acts forbidden under this part, or to attempt to do so.”

279. Defendants Nathan, TAG, and Abel, as individuals and entities that are not Ms. Lively’s employer, aided and abetted the discriminatory conduct of Defendants It Ends With Us Movie LLC, Wayfarer, Baldoni and Heath, including but not limited to by participating in the above-described coordinated “astroturfing” campaign to discredit and “bury” Ms. Lively.

280. As a direct and proximate result of Defendants’ unlawful discriminatory conduct in violation of FEHA, Plaintiff has suffered, and continues to suffer, harm for which she is entitled to an award of monetary damages, liquidated damages, interest, and other relief.

281. Defendants’ conduct was willful and they knew that their actions constituted unlawful violation of the FEHA and/or showed reckless disregard for Ms. Lively’s statutorily protected rights.

282. Mr. Sarowitz, Ms. Nathan, TAG, and Ms. Abel intentionally violated Ms. Lively’s rights under the California Fair Employment and Housing Act, acting with malice, oppression, and/or fraud. Therefore, Mr. Sarowitz, Ms. Nathan, TAG, and Ms. Abel are liable for punitive damages for the reprehensible conduct of Mr. Baldoni and Mr. Heath in an amount necessary to punish them and to discourage future wrongful conduct.

283. Defendants committed the acts herein despicably, maliciously, fraudulently, and oppressively, with the wrongful intention of injuring Ms. Lively, from an improper and evil motive amounting to malice, and in conscious disregard of the rights or safety of Ms. Lively and others. Ms. Lively is thus entitled to recover punitive damages from Defendants in an amount according to proof.

EIGHTH CAUSE OF ACTION

(Breach of Contract – Actor Loanout Agreement)

Against It Ends With Us Movie LLC and Wayfarer

284. Ms. Lively hereby repeats, reiterates, re-alleges and incorporates by reference each and every allegation of the Complaint as if fully set forth fully herein.

285. Ms. Lively's company Blakel, Inc., and Defendant It Ends With Us Movie LLC demonstrated an intent to be bound by the Actor Loanout Agreement, dated May 5, 2023, through substantial performance of the agreement's terms and conditions and as referenced in the Contract Rider. The Actor Loanout Agreement is a valid and enforceable contract between Blakel, Inc., and It Ends With Us Movie LLC.

286. Ms. Lively was the intended beneficiary of the Actor Loanout Agreement.

287. At all times relevant to this complaint, there was a unity of interest and ownership between Defendant It Ends With Us Movie LLC and Defendant Wayfarer, which on information and belief is its sole member.

288. Blakel, Inc., has complied with all applicable provisions of the Actor Loanout Agreement.

289. Paragraph 7 of the Agreement strictly prohibited sexual harassment of any type. Further, Paragraph 7 of the Agreement prohibited any punishment or retaliation against another for his or her refusal of such harassment. Through Defendant Wayfarer, Defendant It Ends With Us Movie LLC, Defendant Baldoni and Defendant Heath, repeatedly violated Paragraph 7 of the Agreement, as set forth in the preceding paragraphs.

290. Ms. Lively is entitled to enforce the Actor Loanout Agreement against Defendant It Ends With Us Movie LLC and Defendant Wayfarer.

291. Through Defendant Wayfarer's conduct, Defendant It Ends With Us Movie LLC's breach of its obligations under the Actor Loanout Agreement has caused and will continue to cause irreparable injury to Ms. Lively both personally and professionally.

292. Such breach of obligations under the Actor Loanout Agreement was a substantial factor in causing Ms. Lively's harm.

NINTH CAUSE OF ACTION

(Breach of Contract – Contract Rider Agreement)

Against It Ends With Us Movie LLC and Wayfarer

293. Ms. Lively hereby repeats, reiterates, re-alleges and incorporates by reference each and every allegation of the Complaint as if fully set forth fully herein.

294. The Contract Rider Agreement is a valid and enforceable contract between Blakel, Inc., and It Ends With Us Movie LLC.

295. Ms. Lively was the intended beneficiary of the Contract Rider Agreement.

296. At all times relevant to this complaint, there was a unity of interest and ownership between Defendant It Ends With Us Movie LLC and Defendant Wayfarer as its sole member.

297. Blakel, Inc., has complied with all applicable provisions of the Contract Rider Agreement.

298. Paragraph 10 of the Agreement strictly prohibited It Ends With Us Movie LLC from retaliation of any kind against Ms. Lively for raising concerns about the conduct described in the Contract Rider Agreement, including during publicity or promotional work for the Film.

299. Ms. Lively is entitled to enforce the Contract Rider Agreement against Defendant It Ends With Us Movie LLC and Defendant Wayfarer.

300. Through Defendant Wayfarer's conduct, Defendant It Ends With Us Movie LLC's breach of its obligations under the Contract Rider Agreement has caused and will continue to cause irreparable injury to Ms. Lively both personally and professionally.

301. Such breach of obligations under the Contract Rider Agreement was a substantial factor in causing Ms. Lively's harm.

TENTH CAUSE OF ACTION

(Intentional Infliction of Emotional Distress)

Against Wayfarer, It Ends With Us Movie LLC, Baldoni, Heath, Sarowitz, Nathan, TAG, and Abel

302. Ms. Lively hereby repeats, reiterates, re-alleges and incorporates by reference each and every allegation of the Complaint as if fully set forth fully herein.

303. Defendants Wayfarer, It Ends With Us Movie LLC, Baldoni, Heath, Sarowitz, Nathan, TAG, and Abel, intentionally engaged in extreme and outrageous conduct toward Ms. Lively, which conduct was so extreme as to exceed all bounds of that usually tolerated in a civilized community. Defendants' conduct included soliciting, developing, implementing, and promoting a covert multi-tiered press and digital plan that Defendants themselves described as "social manipulation" regarding Ms. Lively to destroy her reputation and career in retaliation for exercising her legally-protected right to speak up about their misconduct on the set of the Film, and to deter or prevent Ms. Lively from publicly disclosing Defendants' harassing and discriminatory conduct. *See* ¶¶ 115–191, 221.

304. Defendants by Defendants Wayfarer, It Ends With Us Movie LLC, Baldoni, Heath, Sarowitz, Nathan, TAG, and Abel intended to cause Ms. Lively emotional distress. In the alternative, and at the least, these Defendants acted with reckless disregard of the probability that their conduct would cause Ms. Lively to suffer emotional distress.

305. Ms. Lively suffered severe emotional distress as a result of these Defendants' conduct.

306. The outrageous conduct by Defendants Wayfarer, It Ends With Us Movie LLC, Baldoni, Heath, Sarowitz, Nathan, TAG, and Abel was a substantial factor in causing Ms. Lively's severe emotional distress, and was the actual and proximate cause of the emotional distress.

307. Defendants Wayfarer, It Ends With Us Movie LLC, Baldoni, Heath, Sarowitz, Nathan, TAG, and Abel acted with oppression, fraud, or malice as defined by the California Civil Code § 3294 and engaged in highly reprehensible conduct warranting punitive damages.

ELEVENTH CAUSE OF ACTION
(Negligence Infliction of Emotional Distress)
Against Wayfarer, Baldoni, and Heath

308. Ms. Lively hereby repeats, reiterates, re-alleges and incorporates by reference each and every allegation of the Complaint as if fully set forth fully herein.

309. Defendants Wayfarer, Baldoni, and Heath owed a duty of care to maintain a safe working environment, free of harassment and retaliation, to avoid causing foreseeable harm to Ms. Lively.

310. At all times mentioned, it was reasonably foreseeable that Ms. Lively would suffer harm if these Defendants perpetuated, participated in, or failed to address the conduct described in the preceding paragraphs.

311. In engaging in the conduct described in this complaint, these Defendants breached the duty of care to Ms. Lively and affirmatively contributed to and caused Ms. Lively's injuries.

312. Ms. Lively suffered serious emotional distress as a result of Defendants' negligent conduct.

313. The negligence of Defendants Wayfarer, Baldoni, and Heath was a substantial factor in causing Ms. Lively's emotional distress.

314. As a direct and proximate cause of their misconduct as alleged herein, Ms. Lively suffered and continues to suffer the damages alleged in this complaint.

TWELFTH CAUSE OF ACTION

(False Light Invasion of Privacy – California Const., Art. I, § 1)

Against Wayfarer, Baldoni, Heath, Nathan, TAG, and Abel

315. Ms. Lively hereby repeats, reiterates, re-alleges and incorporates by reference each and every allegation of the Complaint as if set forth fully herein.

316. As alleged herein above, Defendants Wayfarer, Baldoni, Heath, Nathan, TAG, and Abel publicly disclosed information or material regarding Plaintiff's marketing decisions, moral character, private life, and family, which showed Ms. Lively in a false light.

317. The false light created by the disclosures of these Defendants would be highly offensive and objectionable to a reasonable person in Ms. Lively's position, in that it made Ms. Lively the object of scorn, pity, ridicule, humiliation, and other suffering.

318. These Defendants knew the public disclosures would create a false impression about Ms. Lively or acted with reckless disregard for the truth.

319. As a direct and proximate result of the said publicity and false and misleading disclosures, Ms. Lively sustained harm, including to her business and profession, as well as her reputation. Further, Ms. Lively has suffered, and continues to suffer, from grief and anxiety as a result of the near-overnight change in public sentiment regarding her reputation, work, and brands. As a further direct and proximate result of the said disclosures, Ms. Lively has

suffered loss of income and interference with future income.

320. The conduct of Defendants Wayfarer, Baldoni, Heath, Sarowitz, Nathan, TAG, and Abel as described herein was a substantial factor in causing Ms. Lively harm, constituted a serious invasion of Ms. Lively's right to privacy, and was an egregious breach of social norms that shocks the conscience.

321. Defendants have engaged in the alleged conduct above with oppression, fraud and malice. Accordingly, Ms. Lively is entitled to an award of punitive and exemplary damages in an amount to be proved at trial.

THIRTEENTH CAUSE OF ACTION

(Sexual Harassment in Violation of California Civil Code – Civ. Code, § 51.9) *Against Baldoni and Heath*

322. Ms. Lively re-alleges and incorporates by reference every allegation of the Complaint as if fully set forth in this paragraph.

323. At all times herein mentioned, Defendants Baldoni and Heath, as a director or producer of the Film and as operators of Wayfarer, had a professional relationship with Ms. Lively.

324. In engaging in the conduct described in this Complaint, Defendants Baldoni and Heath subjected Ms. Lively to harassing conduct based on sex and/or gender. *See* ¶¶ 42–67. Defendants Baldoni and Heath's behavior as described in this Complaint was unwelcomed, pervasive or severe, such that it altered the conditions of the business relationship by creating a work environment that is hostile, intimidating, offensive, oppressive, or abusive.

325. As a direct, foreseeable, and proximate result of Defendants Baldoni and Heath's unlawful actions, Ms. Lively has suffered and continues to suffer substantial damages, including, but not limited to, past and future losses in earnings, equity, and other employment benefits and has incurred other economic losses.

326. As a further direct, foreseeable, and proximate result of Defendants Baldoni

and Heath's unlawful actions, Ms. Lively has suffered emotional distress, humiliation, shame, and embarrassment all to the Ms. Lively's damage in an amount to be proven at time of trial.

327. Defendants Baldoni and Heath committed the acts herein despicably, maliciously, fraudulently, and oppressively, with the wrongful intention of injuring Ms. Lively, from an improper and evil motive amounting to malice, and in conscious disregard of the rights, safety, or wellbeing of Ms. Lively and others. Ms. Lively is thus entitled to recover punitive damages from Defendants Baldoni and Heath in an amount according to proof.

PRAYER FOR RELIEF

WHEREFORE, Plaintiff prays for the following relief:

1. For a money judgment representing compensatory damages including consequential damages, lost wages, earning, and all other sums of money, together with interest on these amounts, in an amount to be proven at trial;
2. For an award of money judgment for mental pain and anguish and severe and serious emotional distress, in an amount to be proven at trial;
3. For pre- and post-judgment interest;
4. For statutory and civil penalties;
5. For punitive damages according to proof;
6. For attorneys' fees and costs incurred by Ms. Lively; and
7. For such other legal and equitable relief as the Court deems appropriate.

DEMAND FOR JURY TRIAL

Ms. Lively demands a jury trial on all causes of action triable by jury.

[SIGNATURES ON FOLLOWING PAGE]

Dated: December 31, 2024

Respectfully submitted,

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